

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1346919-0

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NCIC ACTIVITY LOG
(Instructions - Reverse Side)

Bureau File No.

Field Office File No. 1390-CA-127588

Validation: *(Date/Initials)*

1	5	9
2	6	10
3	7	11
4	8	12

TOP SERIAL - NOT TO BE SERIALIZED

INSTRUCTIONS

1. Entry:

- (a) Supervisor stamp serial containing entry information, check entry, initial and route to NCIC operator.
- (b) NCIC operator make local and/or NCIC checks including III for additional information, make entry, route serial and printout to rotor clerk. (NCIC operator may stamp jacket, insert NCIC Activity Log as top serial in file and complete "entry" line.)
- (c) Rotor clerk serialize printout, stamp jacket, insert NCIC Activity Log as top serial in file and complete "entry" line if not already accomplished by NCIC operator. Note: NCIC Activity Log is to be maintained as the top serial in the current Volume of case file.

2. Modify:

- (a) Supervisor stamp serial containing modify information, check modify, initial and route to NCIC operator.
- (b) NCIC operator modify record, route serial and printout to rotor clerk. (NCIC operator may complete "modify" line on NCIC Activity Log.)
- (c) Rotor clerk serialize printout and complete "modify" line on NCIC Activity Log, if not accomplished by NCIC operator.

3: Clear/Cancel:

- (a) NCIC operator clears/cancels record upon notification by case agent or supervisor, routes printout to rotor clerk. (NCIC operator may complete "clear/cancel" line on NCIC Activity Log.)
- (b) Rotor clerk serializes printout, completes "clear/cancel" line on NCIC Activity Log and makes slash marks (NCIC) through NCIC stamp on File jacket.

4. Validation:

- (a) When validation printout is received from NCIC, an agent (or clerk if case is in closed status) will review the NCIC entry to insure that it is complete and accurate. Any discrepancy should be resolved by an appropriate agent and, if necessary, a modify message should be initiated to update and/or correct the record. When validation is complete, reviewer will date and initial NCIC Activity Log.

5. Retention Periods:

Unless otherwise removed, records will be retained in file as follows:

Article File

Remainder of the year of entry plus one year.

Boat File

Remainder of the year of entry plus four years.

Records entered without BHN or OAN will remain in file 90 days.

Canadian Warrant File

Retained indefinitely until entering agency removes record from file.

Gun File

Retained indefinitely until entering agency removes record from file.

Recovered weapons are retained for the remainder of the year of entry plus two years.

III File

Retained until the individual reaches the age of 80.

License Plate File

Retained in file for one year after the end of the plate's expiration year.

Nonexpiring license plates remain in file for the remainder of the year of entry plus four years.

Missing Person File

Retained indefinitely until action is taken by the entering agency to clear the record. This includes unemancipated juvenile records.

Securities File

Retained for the remainder of the year of entry plus four years, except records for traveler's checks and money orders. These records will be retained for the remainder of the year of entry plus two years.

U.S. Secret Service Protective File

Retained indefinitely until action is taken by the U.S. Secret Service to remove it.

Unidentified Person File

Retained for the remainder of the year of entry plus nine years.

Vehicle File

Retained for the remainder of the year of entry plus four years.

Records entered which do not contain VINs or OANs will remain in file for 90 days after entry.

Felony vehicles will remain in file for 90 days after entry.

Stolen parts (VIN plates, harrows, or boat motors) which contain an OAN or SER will remain in file for the year of entry plus four years.

Wanted Person File

Retained until action is taken by the originating agency to clear the record.

Temporary felony want records will be automatically removed from file after 48 hours.

(Title) Justin Tanner Peterson
(File No.) 139C-LA-127588 *

139C-LA-127588-
INDEXED INDEXED
SERIALIZED SERIALIZED FILED FILED
m.s. m.s.

MHR 104

Universal File Case Number 39C-LA - 127582 -Field Office Acquiring Evidence WMD 1ASerial # of Originating Document Date Received 3/18

From _____

(Name of Contributor)

(Address of Contributor)By SA _____

(Name of Special Agent)

To Be Returned Yes NoReceipt Given Yes NoGrand Jury Material - Disseminate Only Pursuant
to Rule 6 (e), Federal Rules of Criminal Procedure Yes NoTitle: Justin Tanner Petersonb6
b7C

Reference: _____

(Communication Enclosing Material)

Description: Original notes re interview of _____Notes from SA _____

MEMORANDUM

ditions usable

b6

b7C

SITED B1-

to (Organization)

PLEASE PHONE ►

FTS

AUTOVON

C-22 PAGER (202) 996-6544

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

he thinks he's
found your fugitive

RECEIVED BY

DATE

TIME

63-110 NSN 7540-00-634-4018

STANDARD FORM 63 (Rev. 8-81)

Prescribed by GSA

★ U.S.G.P.O.: 1990-254-312

FPMR (41 CFR) 101-11.6

Hiking boots

COMMONS DRIVE

WIM
6

fern
long brown hair
-MS tache

out of mom's street
into Commons DR.

~~Smaller old~~

Woods - back towards
school.

(703) 750-0882

O

~~129~~

129
P

sh tress larger coat - want
gums - 3/4 of boots

IV

DATE: 08/08/94 TIME: 12:24

REG VALID FROM: 02/22/93 TO 02/22/94

LIC#:3CPU645 YRMD:79 MAKE:BMW BTM :SD VIN :5417322

R/O :PRODUCTIONS ERIC HEINZ, 849 MCCADDEN PL 9 CITY:LOS ANGELES

C.C.:19 ZIP#:90038

SOLD:00/00/79 RCID:12/08/93 OCID:12/18/93 LOCD:K SUBP:3HDL176

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:AB **-YR:92

REC STATUS:

04/22/94 SUB PLATE

03/31/1994 DELINQUENT NOTICE EXTRACTED

03/03/93 VR INSPECTION EXEMPTION

03/03/93 PREV LIC 838WXJ



CLEARANCE INFORMATION RECORDS

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
508	10/06/89	37	5008	00035.00	00/00/00	H00
141	02/09/90	27	0670	00035.00	00/00/00	POT
144	01/08/91	58	0270	00035.00	00/00/00	POT
142	01/29/92	24	0461	00066.00	00/00/00	POT
514	03/03/93	FA	0101	00085.00	00/00/00	F00
514	12/08/93	B1	0009	00007.00	00/00/00	J00
576	04/22/94	48	0002	00120.00	00/00/00	RIP
576	04/11/94	04	0003	00120.00	PRIOR SUSPENSE	
576	04/22/94	48	6003	00000.00	04/26/94	F00

MORE

DATE: 08/08/94 TIME: 12:24

REG VALID FROM: 02/22/94 TO 02/22/95

LIC#:3HDL176 YRMD:79 MAKE:BMW BTM :SD VIN :5417322

R/O :RODRIGUEZ ANTONIO, 5650 CECILIA ST CITY:BELL GARDENS C.C.:19

ZIP#:90201

SOLD:00/00/79 RCID:04/22/94 OCID:05/04/94 LOCD:3

TYPE:11 POWR:G VEH :12 BODY:0 CLAS:AF **-YR:94

REC STATUS:

04/22/94 VR INSPECTION EXEMPTION

CLEARANCE INFORMATION RECORDS

OFFICE	WORK DATE	TECH ID	SEQ #	VALUE	FILE DATE	TTC
141	02/09/90	27	0670	00035.00	00/00/00	POT
144	01/08/91	58	0270	00035.00	00/00/00	POT
142	01/29/92	24	0461	00066.00	00/00/00	POT
514	03/03/93	FA	0101	00085.00	00/00/00	FOO
514	12/08/93	B1	0009	00007.00	00/00/00	J00
576	04/22/94	48	0003	00128.00	04/26/94	FOO
576	04/22/94	48	0002	00120.00	PRIOR SUSPENSE	
576	04/22/94	48	0002	00120.00	00/00/00	RIP
576	04/11/94	04	0003	00120.00	PRIOR SUSPENSE	
576	04/22/94	48	6003	00000.00	04/26/94	FOO

END

OUTPUT MSG 197, FROM CL2@ FOR FBI1 08/08/94 12:28

TTY-13

I.A. Computerized Record Request Form
(Revised Sept., 1990)



TO: I.A. [REDACTED]

RETURN TO: [REDACTED] CER

DATE: 8/11/94

FILE NUMBER:

189C1A-127588

Crim. rec. (P.D./S.O.) Bankruptcy record Vital Records Coroner's office Courts (Muni/Superior)
 Divorce records Fictitious names Grantee/Grantor Health Dept. I.N.S. (Rec./Court)
 Passport record Police permits Probation Dept. Credit record Tax Rolls
 Telephone record Traffic Vio. Bureau Utility record Arrest dispo. Voters record

Name of Subject: [REDACTED]

Alias(es): [REDACTED]

Address: [REDACTED]

(business/former): [REDACTED]

Driver's License Number: [REDACTED]

Birth place: [REDACTED]

Telephone number: [REDACTED]

Date of Birth (or approximate age): [REDACTED]

Sex: Male Female

Social Security Number: [REDACTED]

Height/Weight/Hair/Eyes: [REDACTED]

Other Identifying Information (Specify): [REDACTED]

Other liaison records checks/Comments/Result(s) of check(s):

No info per DWP
See attached for LEXIS/NEXIS

b6
b7c

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES

Date: August 12, 1994

Defining the Ethics of Hacking

■ The computer underground grapples with how far to go in breaking into wildly expanding networks. Users and officials battle over where to draw the line between exploration, exploitation.

By AMY HARMON
TIMES STAFF WRITER

Eric Corley, a.k.a. Emmanuel Goldstein—patron saint of computer hackers and phone phreaks—is having a party.

And perhaps it is just in time. 2600, the hacker magazine Corley started when he was 23, is a decade old. It has spawned monthly hacker meetings in dozens of cities. It has been the target of a Secret Service investigation. It has even gone aboveground, with newsstand sales of 20,000 last year.

But the wild expansion of the computer and phone networks that have traditionally been hacker stomping grounds—and an accompanying rise in electronic crime—has made life more complicated for Corley and others in the computer underground who claim to adhere to a higher ethical standard.

And as more corporations rely on electronic communications to conduct daily business, computer security—once the exclusive concern of elite computer technicians and their mischievous adversaries—is now a topic of heated public debate. Many are calling for tighter restrictions on those who roam their digital networks, and tough criminal penalties for unauthorized activities—even those that stop short of information theft or vandalism.

As hundreds of hackers converge in New York City this weekend to celebrate 2600's anniversary, Corley hopes to grapple with how to uphold the "hacker ethic," an oxymoron to some, in an era when many of 2600's devotees just want to know how to make free phone calls.

(Less high-minded activities—like cracking the New York City subway's new electronic fare card system—are also on the agenda).

For Corley and other purists, the hacker ethic begins with the notion that "all information should be free." They view themselves as valiant holdouts against complete corporate and government control of ever-more-powerful information technologies. They break into computers, copy software and tease computer system administrators not out of greed or malice, they say, but out of a desire to understand the high-tech infrastructure and to keep the technocrats honest—and they say they take pains to do no harm.

It is an outlook that tends to run contrary to the principles of private property and ownership under capitalism. Businesses whose computers and phone systems are broken into in the interest of exploration and the greater good of society generally do not think much of hacker ethics.

Neither do law enforcement offi-

cials. "They say they're doing it for the intellectual pursuit, and that sounds real nice," said James Settle, former head of the FBI's Computer Crime Squad, who was responsible for the indictment of "Phiber Optik," an outspoken New York hacker who went to jail for computer trespassing this year. "But there are much bigger ramifications."

Corley's magazine takes its name from the 2600-hertz tone that used to control AT&T's switching system. Mimicking it—a way to gain free access to long-distance lines—was one of the first hacks learned by phone phreaks, those who focus on illicit entry into the public phone network. Legendary phone phreak John Draper, for example, received his alias, "Captain Crunch," after discovering the whistle in a Cap'n Crunch cereal box emitted a perfect 2600 tone.

Although the phone company has long since abandoned the signal, the fundamental problem of defining a hacker morality remains much the same. "How do we know what constitutes criminal behavior and what does not?" asks Corley in a recent 2600 editorial. "Regrettably, the law no longer seems an accurate definer. With many of us, we just *know* when something doesn't feel right. And in such a case, trusting your instincts is always a good idea."

Title: Defining the Ethics of Hacking
A-1

Character:
or

Classification:
Submitting Office: LOS ANGELES

Indexing:

The 2600 editor in chief, who wears his hair long and sports a tool belt full of electronic gadgets, is quick to condemn the paranoia that he says amounts to a desire to stifle innovation and put the best and brightest explorers of the electronic frontier behind bars.

But Corley also goes as far as wishing that fewer people bought his magazine: "It's gotten a lot bigger, which can be a bad thing, because a lot of people don't really understand what hacking is about," Corley said. "It requires a certain kind of spirit."

Many law enforcement officials—and engineers charged with maintaining security on corporate and governmental computer systems—say they could do without hacker spirit of any kind. They are genuinely spooked by a huge increase in computer break-ins in recent years, and by the emergence of sophisticated hacking techniques that they do not understand.

In an ongoing attack on the Internet network that has extended into military computers and alarmed system administrators throughout the world, hundreds of thousands of passwords have been stolen by intruders using a program known as a "sniffer," which records the first 128 keystrokes of every message that passes through a computer.

Security experts have been unable to trace the source of the attacks. But there is no evidence that the passwords have been used to harm or steal anything. "It's probably too early to tell if it's just an 'intellectual enterprise,'" said Dain Gary, manager of the Computer Emergency Response Team, a government-funded agency at Carnegie Mellon University that investigates security violations on the Internet. "But the point is the integrity of those systems has been compromised."

The team received 773 break-in reports in 1992. This year, the agency estimates that it will receive more than 2,300 reports. Many local law enforcement authorities now view computer crime as a major threat, and are training investigators accordingly.

Because no one likes to admit being a victim of break-ins, it is hard to assess the magnitude of computer crime. But security professionals believe that economic espionage via computer networks is on the rise.

And they say that the criminal hacker stunts of earlier years—such as Los Angeles-based Kevin Poulsen manipulating radio call-in contests to win free Porsches—are being replaced by higher-stakes hacking.

"You want me to screw around with your credit report? I can get that done for less than \$1,000," Settle said. "Just to get a report would probably cost me only \$400. Why bomb the World Trade Center? Just shut down the power grid. There are hackers claiming from foreign countries that they can shut down the air conditioning in any city in the U.S. It's all remotely monitored. You get to that computer, you can make the building you're in right now 105 degrees."

Gary said one problem is the lack of a value system. "Cyber-ethics are not being taught. Parents don't know what their kids are doing. The kids themselves think of it as joy riding—but joy riding can be dangerous."

Hackers counter that in a society increasingly dependent on technology, the very basis for democracy could be threatened by limiting technological exploration. "Hacking teaches people to think critically about technology," says Rop Gonggrijp, a Dutch hacker who will attend the Hackers on Planet Earth conference this weekend. "The corporations that are building the technology are certainly not going to tell us, because they're trying to sell it to us. Whole societies are trusting technology blindly—they just believe what the technocrats say."

2.

Gonggrijp, 26, publishes a magazine much like 2600 called Hack-Tic, which made waves this year with an article showing that while tapping the mobile phones of criminal suspects with radio scanners, Dutch police tapped into thousands of other mobile phones.

"What society needs is people who are independent yet knowledgeable," Gonggrijp said. "That's mostly going to be young people, which society is uncomfortable with. But there's only two groups who know how the phone and computer systems work, and that's engineers and hackers. And I think that's a very healthy situation."

2600 and its supporters have an unlikely ally in AT&T computer security expert Kevin Hanely, who plans to attend HOPE and says he is looking forward to meeting the infamous "Emmanuel Goldstein."

"I sometimes wonder how he knows so much," Hanely admits, noting that 2600 has published articles on several internal AT&T documents over the years. "And I'm concerned when the information he shares gets into the hands of people who use it as a tool to hurt the customers that I try to represent. But we recognize the distinction between the hacker community and a community of criminal abusers."

AT&T just formed an investigative team to stage electronic stakeouts on systems known to be violated in an effort to "take the bad hackers off the street." Hanely said: "Hopefully the true hacker, the hacker who believes in the ethic of information and knowledge expansion will laud these efforts, because we're going to help untarnish their image."

LA Cellular appears to take a less sanguine view. The company says it hopes to find and prosecute a hacker who broke into a call between John Scott, the firm's director of engineering, and his wife this month.

"TEK," as the hacker calls himself—it's short for "The Electronic Knight"—showed up at last week's Los Angeles 2600 meeting in Union Station, armed with a notebook computer and cellular phone. The 19-year-old college student has written a computer program that allows him to track cellular calls throughout the region and trace the phone numbers.

TEK and a friend found Scott in the Cerritos Sheraton bar one evening. After disconnecting him from his wife, they listened as he called the office to demand that his engineers track them down. They paged him at the hotel, and left messages on his voice mail. The following week, TEK says, he called Scott back and the engineer told him that he should come work at the company's fraud unit.

"He offered to buy my equipment, but I said no way. I'm not in it for the money."

Still, he says he has stayed on the right side of the blurry line that separates hacking from criminal behavior. He has nothing but scorn for the hangers-on at the meeting who want him to help them reprogram their cellular phone so they can make free calls. "That's kiddie stuff," he said. "I do this because it's cool to figure things out, to do stuff no one else has done before."

Despite the elaborate measures they use on-line to disguise their identities, hackers flock to meetings like HOPE and the monthly 2600 gatherings. Attendance dropped off a bit, however, after a meeting in a Washington shopping mall in 1992 was broken up by mall police who were working with the Secret Service. (The illegal activities discussed in the magazine have long drawn the interest of the Secret Service, which along with the FBI is responsible for investigating federal computer crime).

Still, the desire to share information and meet other people like themselves is strong. The younger ones introduce themselves nervously by their handles. The older ones look out for police. Meetings are always held near banks of pay phones, so other meetings nationwide can be called.

3

At Union Station, about two dozen men and a few women, most in their teens and early 20s, gather around TEK's computer, plugged into a handy outlet by the phones, until a guard breaks the meeting up.

Corley said: "One thing we tell people is if you want to know if you're really a hacker, look and see if people are chasing you around wanting to cash in on your skills. If they are, you're probably about to cross the line. If people think you're just wasting your time, they think it's all nonsense and you're wasting your whole life, you're probably a hacker."

Corley does not hack anymore. He was arrested in 1983 for allegedly hacking into a system that gave him access to the electronic mail of corporations including Raytheon and Coca-Cola. (Charges were later dropped.) "It had a one-letter password—an *a*," he said. The then-23-year-old was told it would not be wise for him to continue with his plans to publish his magazine.

Not big on taking advice from authority figures, he went ahead. But he now treads on the safe side of the tricky hacker dividing line, taking the role of hacker spokesman and sometime-caretaker of his young colleagues.

That has not kept him entirely out of trouble. Numerous phone company attorneys have sent him "cease and desist" letters threatening lawsuits over 2600 articles about their networks, (all of which promptly are printed in the next issue).

Still, Settle, who left the FBI this year, says he repeatedly told his team that Corley was not doing anything wrong. "I have no problems with what Emmanuel does. We've been on panels together."

Sometimes described as the hackers' Fagin, Corley gave 22-year-old Mark Abene, a.k.a. Phiber Optik, a lift to jail, and responds to hundreds of letters from hackers and wanna-bes asking for information.

"We get letters from people who say: 'I want to be a hacker, I want to get credit cards. We tell them you've obviously watched 'Geraldo' too much, this is not hacking. We say, read the magazine."

Memorandum



To : SUPERVISOR (A-2)
SPECIAL OPERATIONS GROUP (SOG)

Date 8/23/94

From : SUPERVISOR , SQUAD CE-6

Subject: LOS ANGELES SPECIAL OPERATIONS GROUP (SOG)
AIRCRAFT OPERATIONS (AIROPS)
REQUEST FOR SOG/AIROPS ASSISTANCE

INVESTIGATIVE PROGRAM REQUEST

WCC X
OC _____
IT _____

DRUGS _____
DT _____

VCMO _____
FCI _____

ANTICIPATED DATES OF ASSISTANCE: ASAP

ANTICIPATED DURATION OF ASSISTANCE: 1 w/c

b6
b7c

CASE TITLE		CASE AGENT:
<u>Justin Petersen - Fugitive (B)</u> <u>Kevin Poulsen</u>		SIGNAL#: <u>4193</u> EXT: <u>3613</u>
		BEEPER#: <u>(710) 992-8383</u>
		HOME PHONE:
		CAR PHONE: <u>(800) 555-1212</u>
		ALTERNATE C/A:
		SIGNAL#: <u>8253</u> EXT: <u>0676</u>
		BEEPER#: <u>(800) 992-8225</u>
		HOME PHONE:
		CAR PHONE:

OO: LAF FILE: B9C-LA-127588

TYPE OF REQUEST:

X SOG PHYSICAL SURVEILLANCE (# OF SUBJECTS 1)
AIROPS ASSISTANCE
TITLE III SURVEY
OTHER -

5 - Los Angeles
(1) - LA Case File
(1) - 66F-7164
2 - Surveillance Coordinator
1 - Aviation Coordinator

RJM/lca
(5)

(Rev. 2/94)

SPECIAL REQUESTS:

1
ARREST OF SUBJECT(S)
ASSET FORFEITURE ASSISTANCE
SURVEILLANCE PHOTOS
SURVEILLANCE VIDEO
AERIAL PHOTOS
OTHER -

BRIEF SUMMARY OF CASE: Subject Petersen is sophisticated computer hacker. Petersen's bail revoked 10/20/93 - warrant issued - Petersen surveillance provision. Petersen has [redacted]

SPECIFIC REQUESTS OF SOG: Surveillance [redacted]

Petersen on a routine basis [redacted] normally after sleeps
most of the day - out all night [redacted] goes
to locations on sunset Blvd.

WOULD DETECTION OF FISUR IMPACT ADVERSELY ON CASE?

YES/NO

IS SUBJECT SURVEILLANCE CONSCIOUS? YES/NO

SUBJECT DESCRIPTION:

NAME: Justin Petersen - aka Eric Heinz
RACE: W SEX: M HEIGHT: _____ WEIGHT: _____ BUILD: _____
HAIR: _____ EYES: _____ DOB: _____ GLASSES: _____
FACIAL HAIR: _____ COMPLEXION: _____
SCARS, MARKS, TATTOOS: _____
PECULIARITIES: missing left leg below knee NARCOTICS USER: Possibly
ARMED AND DANGEROUS? _____ WEAPON TYPE: _____
RESIDENCE: _____ PHONE: _____
PHOTO ATTACHED: X DATE: _____ (INCLUDE 10 COPIES)

b6
b7C

SUBJECT/ASSOCIATE DESCRIPTION:

NAME: [redacted]
RACE: [redacted] SEX: [redacted] HEIGHT: [redacted] WEIGHT: [redacted] BUILD: [redacted]
HAIR: [redacted] EYES: [redacted] DOB: [redacted] GLASSES: [redacted]
FACIAL HAIR: [redacted] COMPLEXION: [redacted]
SCARS, MARKS, TATTOOS: [redacted]
PECULIARITIES: [redacted] NARCOTICS USER: [redacted]
ARMED AND DANGEROUS? [redacted] WEAPON TYPE: [redacted]
RESIDENCE: [redacted] PHONE: [redacted]
PHOTO ATTACHED: X DATE: _____ (INCLUDE 10 COPIES)

DESCRIBE LOCATION/POTENTIAL PROBLEM AREAS: Possibility -

will meet Peterson at clubs in Hollywood that may be frequented by motorcycle gang members -

BUSINESS ADDRESS: None

BUSINESS HOURS: _____ PHONE: _____

REQUESTED TIME OF DAY/NIGHT FOR MOST EFFECTIVE COVERAGE AND WHY:

6 AM - 3 AM - and frequent clubs on Sunset Blvd late at night

b6
b7c

VEHICLES:

MAKE/MODEL

LICENSE

COLOR

YEAR

REGISTRATION
(ATTACH CLETS)

IS R/O PERT

TO CASE?

3 BMW
4 Texas Plates (possibly)
Gold
early model
dent on passenger door

Subject Peterson

HAS SUBJECT BEEN SURVEILLED BY SOG, REQUESTING SQUAD, OR OTHER AGENCIES IN THE PAST? YES/NO BY WHOM: _____

HAS SUBJECT BECOME AWARE OF PREVIOUS SURVEILLANCE ATTEMPTS?
YES/NO IF YES, PROVIDE DETAILS: _____

HAS SUBJECT BEEN INTERVIEWED BY FBI OR OTHER AGENCIES IN THE PAST? YES/NO IF YES, PROVIDE DETAILS: _____

IS SUBJECT AWARE OF FBI INTEREST IN HIM/HER? YES/NO

WHAT OTHER SQUADS OR AGENCIES ARE AWARE OF FBI SURVEILLANCE OR ARE CONDUCTING THEIR OWN INVESTIGATION OR SURVEILLANCES? _____

IN DRUG INVESTIGATIONS HAS NIN BEEN NOTIFIED? YES/NO

ANY INFORMANTS OR COOPERATING WITNESSES SURVEILLANCE TEAM SHOULD BE AWARE OF? _____

OTHER PERTINENT LOCATIONS KNOWN TO FREQUENT: _____

HAS A PACTEL TELETRAC BEACON BEEN INSTALLED ON ANY PERTINENT VEHICLE REGARDING THIS REQUEST? YES NO IF YES, PROVIDE DETAILS: _____

b6
b7C

IF TELETRAC NOT INSTALLED, DO YOU ANTICIPATE USING TELETRAC DURING THIS INVESTIGATION? YES/NO possibly

DO YOU REQUIRE INFO REGARDING TELETRAC? YES NO

ADDITIONAL PERTINENT INFORMATION: Agents cannot use normal Bureau radio channel - Subject often has scanner and if he detects squelch - will know police surveillance need military radio frequency on handheld. - SA
Tech Agent assisted in the past.

139C-LA-127588
MJK/mjk

On August 23, 1994, the following investigation was conducted by SA [redacted] at Los Angeles, CA.

At 2:45 P.M. a driveby surveillance was conducted at the vicinity of 10970 Ashton Place in an attempt to locate a [redacted] with North Carolina license plate [redacted] with negative results.

At 3:18 P.M. a surveillance was conducted at [redacted] Ave. Located at this address are the [redacted] [redacted] This is a multi-story apartment [redacted]
[redacted]

At 3:33 P.M. a surveillance was conducted at [redacted]
[redacted] Located at this address is a multi-story condominium [redacted] This structure also [redacted]

b6
b7C

139C-LA-127588

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 24 1994	
[redacted]	
ANGELES	

279

[Handwritten signatures and initials over the stamp]

News Release

Los Angeles Field Office Federal Bureau of Investigation



August 29, 1994

CHARLIE J. PARSONS, Special Agent in Charge of the Los Angeles FBI Field Office, announced today the arrest of JUSTIN TANNER PETERSEN, a 34-year-old male from the Los Angeles area, based on a bench warrant charging Petersen with violation of Title 18, United States Code, Section 3148 -- committing a federal, state or local crime while on release (on bond).

Petersen was arrested by Special Agents of the FBI's Los Angeles office this morning outside a residence at 10970 Ashton St. in Los Angeles, following a brief foot pursuit. False identification in Petersen's possession was seized at the time of arrest.

Petersen previously pleaded guilty, on April 21, 1993, in the Central District of California, to six federal counts, including conspiracy, two counts of computer fraud, intercepting wire communications, transporting a stolen vehicle across state lines and wrongfully accessing TRW credit files. Among the crimes to which Petersen pleaded guilty was a computer hacking scheme in which Petersen and others succeeded in rigging promotional giveaway contests conducted by Los Angeles radio stations. The six counts, as stated in the plea agreement, carry a maximum sentence of 40 years in prison, a three-year period of supervised release and a fine of \$1.5 million. Prior to sentencing on the six counts, Petersen was charged (on October 22, 1993) with violating conditions of his release and the bench warrant for his arrest was issued by U.S. District Judge Stephen V. Wilson.

1 - SAC PARSONS
1 - ASSOC. SAC MORLEY
1 - ASSOC. SAC MCCHESNEY
1 - ASAC MORRIS
1 - ASAC THORNTON
1 - SSA [redacted]
1 - SA [redacted]
1 - SA [redacted]
1 - Night Supervisor
① - 139C-LA-127588
1 - 80-LA-129925

b6
b7C

RT/rt

Petersen is currently in the custody of the
Metropolitan Detention Center in Los Angeles. He is scheduled to
appear before Judge Wilson today at the U.S. Courthouse.

Contact: Los Angeles FBI media office, (310) 996-3341, 3342, 3343

Note: AUSA [redacted] was faxed a draft of this press
release on 8-29-94 and concurred with its release to the media.

b6
b7C

XW

WANTED PERSON CANCEL

FCN 1019329501483 NAM PETERSEN, JUSTIN TANNER
DATE OF CANCEL 082994

UW

CANCEL FCN/1019329501483 WAR/139C127588
NAM/PETERSEN, JUSTIN TANNER
***** END OF WPS MESSAGE *****

OUTPUT MSG 078, PAGE 01 OF 01, FROM CL10

08/29/94 07:44 NO MSGS WAITING

NCIC	SUPR.	OPR.	AGENT
ENTER <input type="checkbox"/>			
MODIFY <input type="checkbox"/>			
CLEAR <input type="checkbox"/>			
CANCEL <input checked="" type="checkbox"/>			
LOCATE <input type="checkbox"/>			

DATE 29 08 1994 NCIC # 677263(486)

139A-LA-127588-
281

SEARCHED INDEXED SERIALIZED FILED
29 08 1994

ELES

b6
b7c

NCIC CLEARANCE FORM
WANTED PERSON

DATE

FILE

AGEN

SQUA

00

b6
b7c

Please cancel or locate (CIRCLE ONE) the following: CANCEL if office of origin and subject in custody; warrant recalled, or dismissed. LOCATE if auxiliary office or if record entered by local law enforcement agency.

ORI - CAFBILA00

NAME/ (last, first, middle) Peterson Justin Tanner

NIC/ (NCIC NUMBER) W772636486

FCN/ (file control number) _____

DOL/ (date wanted person located) 8/29/94

LOCATING AGENCY LIA PRIZ

LOCATING AGENCY'S FILE # 196-1A-127588

DATE WARRANT RECALLED OR DISMISSED

DOB/ (date of birth) 7/28/60

SOC/ (social security number) 508-92-8077

MSN/ (military service number) _____

FBI/ (FBI number) _____

IN CUSTODY OF Bureau of Prisons - MDC

JEW/jw

	A.C	SUPR.	OPR.	AGENT
1. ER	<input type="checkbox"/>			
2. IF	<input type="checkbox"/>			
3. P	<input type="checkbox"/>	PN		TKS
4. I	<input type="checkbox"/>			
5. T	<input type="checkbox"/>			

QW

WANTED PERSON - INQUIRY

ORI CAFBI LA00 NAM PETERSEN, JUSTIN TANNER _____ SEX M
DOB 072860 OR AGE ____ RAC ____ HGT ____ CII _____
FBI _____ OLN _____ SOC _____
FCN _____ NIC _____
REQUESTED BY _____

IJ
1L01
CAFBLA00
NO NCIC WANT DOB/072860 NAM/PETERSEN, JUSTIN TANNER SEX/M

OUTPUT MSG 083, PAGE 01 OF 01, FROM CL1@

08/29/94 07:45 NO MSGS WAITING

QW

WANTED PERSON - INQUIRY

ORI CAFBI LA00 NAM PETERSEN, JUSTIN TANNER _____ SEX M
DOB 072860 OR AGE ____ RAC ____ HGT ____ CII _____
FBI _____ OLN _____ SOC _____
FCN _____ NIC _____
REQUESTED BY _____

IM
MPS INQUIRY
MISSING PERSON
DATE: 08-29-1994 TIME: 07:45:37
RE: QM.CAFBILA00.PETERSEN, JUSTIN TANNER.M.DOB/07281960
*** NO MATCH ON NAM FIELD ***
*** CHECKING NCIC ***
***** END OF MPS MESSAGE *****

OUTPUT MSG 084, PAGE 01 OF 01, FROM CL1@

08/29/94 07:45 04 MSGS WAITING

QW

WANTED PERSON - INQUIRY

ORI CAFBI LA00 NAM PETERSEN, JUSTIN TANNER _____ SEX M
DOB 072860 OR AGE ____ RAC ____ HGT ____ CII _____
FBI _____ OLN _____ SOC _____
FCN _____ NIC _____
REQUESTED BY _____

IW

CAFBILA00 RE: QW.CAFBILA00.NAM/PETERSEN, JUST
NO MATCH NAM FIELD
NO WANTS
CHECKING NCIC
INQUIRY MADE TO RESTRAINING ORDER SYSTEM
***** END OF WPS MESSAGE

OUTPUT MSG 086, PAGE 01 OF 01, FROM CL1@

08/29/94 07:46 02 MSGS WAITING.

QW

WANTED PERSON - INQUIRY

ORI CAFBI LA00 NAM PETERSEN, JUSTIN TANNER _____ SEX M
DOB 072860 OR AGE ____ RAC ____ HGT ____ CII _____
FBI _____ OLN _____ SOC _____
FCN _____ NIC _____
REQUESTED BY _____

IW

CAFBI LA00 RE: QRR.CAFBI LA00.NAM/PETERSEN, JUS
NO MATCH NAM FIELD
NO RESTRAINING ORDERS
***** END OF ROS MESSAGE *****

OUTPUT MSG 087, PAGE 01 OF 01, FROM CL1@

08/29/94 07:46 01 MSGS WAITING

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/8/94

On September 2, 1994 a search was conducted at [redacted] [redacted] Costa Mesa, CA, pursuant to a search warrant issued on that same date by United States Magistrate Joseph Reichmann, United States District Court, Central District of California, Los Angeles, CA.

At 1:14 P.M. SA [redacted] knocked at the front door located at [redacted]. The door was answered by a female individual subsequently identified as [redacted]. SA [redacted] announced his identity and the fact that he was there for the purpose of executing a search warrant at which time entry to the apartment unit was made. [redacted] was then furnished a copy of the warrant.

The following items were located in the garage by SA [redacted]

1. One box labeled 3M Laser Printer Film containing photographs, checkbook, proof of insurance forms, and plastic identification holders found on shelf adjacent to the garage door.
2. A Canon typewriter, Typestar 220, Serial # SB2042901, found in a cardboard box sitting on the garage floor.
3. An IBM Computer keyboard, I.D.# 0046208, found in cardboard box sitting on the garage floor.
4. A paper cutter, marked Boston Trimmer, found in cardboard box sitting on garage floor.
5. A paper shredder, model name Achiever, found in a cardboard box sitting on garage floor.
6. An ICOM Scanner, Serial # 11761, found on the garage floor.
7. A SMARTMODEM, Serial # A06200153227, found on the garage floor.

b6
b7C

Investigation on 9/2/94 at Costa Mesa, CA File # 139C-LA-127588 - 282by SA [redacted] Date dictated 9/8/94

139C-LA-127588

Continuation of FD-302 of Search at [redacted] Costa Mesa, CA, Page _____
9/2/942

The following items were located in the bedroom which is on the south side of the apartment closest to the bathroom by SA Ornellas:

1. A computer keyboard bearing Serial # M910319793.
2. A computer monitor, MGC Model 1402, # S9052753.
3. A computer printer, OKIDATA, Serial # 202A0092615.
4. Miscellaneous wiring and jacks.

b6
b7c

At 2:30 P.M. the search was concluded. A copy of the warrant and an inventory of items seized was left with [redacted]

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 Airtel

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 9/7/94

1 TO: SAC, LOS ANGELES (139C-LA-127588)
 2 FROM: SAC, BALTIMORE (139C-LA-127588) P
 3 SUBJECT: JUSTIN TANNER PETERSEN-FUGITIVE (B) ;
 KEVIN POULSEN;

4 [redacted]
 5 IUC;
 6 OO:LA

7 Re WMFO airtel to LA, 7/18/94.
 8 LA airtel to BA, 8/15/94.

9 Baltimore indices contain no references re subject or
 10 Donald Louis Petersen.

11 [redacted]
 12 [redacted]
 13 [redacted]
 14 [redacted]
 15 [redacted]
 16 A [redacted] CJIS Central Repository inquiry furnished no
 17 record for [redacted].

b6
b7C

18 An NCIC Interstate Identification Index inquiry showed [redacted] D-83

19 2-Los Angeles
 2-WMFO
 2-Baltimore
 (6)
 21 TDS/ts

139C - LA - 127588-1

SEARCHED	SERIALIZED
SERIALIZED	INDEXED
SEP 12 1994	
FBI - LOS ANGELES	

WCC/b

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

[redacted],
U.S. Park Police, WDC, Disorderly Conduct Obscene and Indecent Act.

A check at [redacted]
showed it to be the [redacted]
listed to [redacted]

A MILES inquiry re [redacted] furnished the following: [redacted]

b6
b7C

LEADS

BALTIMORE DIVISION

AT HUNTINGTON, MD.

Conduct logical
fugitive investigation at [redacted] and interview
[redacted] re location of subject.

AT PRINCE FREDERICK, MD.

Conduct logical
fugitive investigation at [redacted] and interview [redacted]
[redacted] re location of subject.

~~TO: TELETYPE ROOM~~
DATE: 8/19/94

RETURN TO: SA

FILE NUMBER: 139C-LA-107588

CE-6

b6
b7c

**Driver's License
Data (L1)**

**Driver's License
Photograph**

✓ Registered
Vehicle Data

Los Angeles
 County Wantu

CA State/NCIC
 Wants

CA State Criminal History (CII)*

**NCIC Criminal
History (III)**

10-28/Vehicle
Registration

Name of Subject:

Alias(es):

Address: Los Angeles, Ca.

Previous Address:

Driver's License Number:

Date of Birth (or approximate age):

Vehicle License Number and State:

Sex: Male Female

Social Security Number:

Height/Weight/Hair/Eyes:

Other Identifying Information (Specify):

Reason*: Investigation

Comments:

m

*Per DOJ, a reason for the request and a file number are mandatory

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

8/30/94

On August 29, 1994, a surveillance was conducted in the vicinity of [REDACTED], California, and the following was noted:

1:55 a.m. Surveillance initiated in the vicinity of [REDACTED] California. A 1983 [REDACTED] in color, North Carolina license [REDACTED] was observed in front of [REDACTED] and the vehicle was driven by [REDACTED] In front of her vehicle was a 1985 gold BMW, bearing Texas license BVX29R. The BMW was registered to [REDACTED] Houston, Texas 77042.

2:50 a.m. Observed JUSTIN PETERSEN exiting apartment building at [REDACTED] [REDACTED] California, with an unidentified female. After a short foot pursuit, PETERSEN was arrested and the female was identified as [REDACTED]

2:54 a.m. JUSTIN PETERSEN was advised of his rights per FD-395 "Interrogation; Advice of Rights". PETERSEN declined to waive his rights and requested that he speak to his attorney. PETERSEN was transported to the Metropolitan Detention Center.

b6
b7C

Investigation on 8/29/94 at Los Angeles, CA File # 139C-LA-127588
by SAS [REDACTED] and
[REDACTED] /SEO/dw Date dictated 8/29/94

Justin Tanner Peterson

4294

VEH VEHICLE, AIRCRAFT AND VESSEL NUMERIC INQUIRY

OPR ID# REQUESTED BY
CWS X-SVS X DMV A INFO CODE 4 GROUP REQ#
ORI CA019 LIC BXV29R LIS TX
VIN VMA VYR ENG
DAN FCN AID

(A)
TP

FOR PARTS ONLY: SER# BRA CAT
FOR OUT-OF-STATE INQUIRIES: LIY 94 LIT XX REF TTY

FOR PREV-OWNER-INFO INQUIRIES: AS-OF-DATE LST-3-CHARS-OF-VIN b6
b7C

* THIS FIELD SHOULD NOT BE USED ON AN INITIAL INQUIRY.

I*

RR.TXDPS0000

02:13 08/29/94 00656

02:13 08/29/94 01154 CAFBILA00

*FBJ0FBI1/0

TXT

R-JUN/94 LIC BXV29R, OLD # BXV29R

85, BMW, 20, WBAAB5402F9514465

T K ELECTRONICS, 10878 WESTHEIMER, HOUSTON, TX

OUTPUT MSG 009, PAGE 01 OF 01, FROM CL10

08/29/94 02:09 NO MSGS WAITING

VEH VEHICLE, AIRCRAFT AND VESSEL NUMERIC INQUIRY

OPR ID# REQUESTED BY
CWS - SVS - DMV A INFO CODE 4 GROUP REQ* --
ORI CA019 ____ LIC ____ LIS TX
VIN WBAAB5402F9514665 VMA ____ VYR ____ ENG ____
OAN ____ FCN ____ AID ____

FOR PARTS ONLY: SER# _____ BRA ____ CAT ____

FOR OUT-OF-STATE INQUIRIES: LIY 94 LIT XX REF TTY _____

FOR PREV-OWNER-INFO INQUIRIES: AS-OF-DATE _____ LST-3-CHARS-OF-VIN _____

* THIS FIELD SHOULD NOT BE USED ON AN INITIAL INQUIRY.

I*

RR.TXDPS0000

04:27 08/29/94 01234

04:27 08/29/94 01887 CAFBILA00

*FBJ0FBI1/0

TXT

LIC BVX29R EXPIRES JUN/94 EWT 2900 GWT 2900
PASSENGER PLT, STKR REG CLASS 25 \$ 0.00
TITLE 00022200042831370 ISSUED 05/17/94 ODOMETER N/A
85 BMW 2D WBAAB5402F9514665 PASS
PREVIOUS OWNER TOYOTA HOUSTON

OUTPUT MSG 011, PAGE 01 OF 02, FROM CL1@

08/29/94 04:23 NO MSGS WAITING

b6
b7c

VEH

VEHICLE, AIRCRAFT AND VESSEL NUMERIC INQUIRY

OPR ID# REQUESTED BY
CWS - SVS - DMV A INFO CODE 4 GROUP REQ* --
ORI CA019 -- LIC LIS TX
VIN WBAAB5402F9514665 VMA -- VYR -- ENG --
OAN -- FCN -- AID --

b6
b7c

FOR PARTS ONLY: SER# -- BRA -- CAT --
FOR OUT-OF-STATE INQUIRIES: LIY 94 LIT XX REF TTY --

FOR PREV-OWNER-INFO INQUIRIES: AS-OF-DATE -- LST-3-CHARS-OF-VIN --

* THIS FIELD SHOULD NOT BE USED ON AN INITIAL INQUIRY.

OWNER HOUSTON, TX 77042

PLATE AGE: 3

OUTPUT MSG 011, PAGE 02 OF 02, FROM CL1@

08/29/94 04:24 NO MSGS WAITING

411

TIC NO
TIC ELEC NO
NO # AD THAT ADDRESS

IV

DATE: 08/30/94 TIME: 20:25

REG VALID_EROM: 07/08/93 TO 07/08/94

LIC#: 3EWB299 YRMD:84 MAKE:DODG BTM :VC VIN :2B6FB13H3EK283211

R/O [REDACTED] CITY:N HOLLYWOOD C.C.:19

ZIP#: 91601

RCID:11/09/93 OCID:11/19/93 LOCD:3

TYPE:11 POWR:G VEH :17 BODY:J CLAS:AF **-YR:93

REC STATUS:

04/14/1994 RENEWAL NOTICE EXTRACTED

11/09/93 VR INSPECTION EXEMPTION

11/09/93 PREV LIC: 2TWG233

b6
b7c

CLEARANCE INFORMATION RECORDS

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
614	08/08/90	13	0041	00118.00	00/00/00	B00
614	07/27/90	29	0075	00118.00	PRIOR SUSPENSE	
614	07/03/91	29	0114	00035.00	00/00/00	F00
676	07/31/92	32	0021	00044.00	00/00/00	H00
514	11/09/93	07	0067	00186.00	00/00/00	F00
514	11/08/93	G1	0089	00170.00	PRIOR SUSPENSE	

END

OUTPUT MSG 149, FROM CL1@ FOR FBI2 08/30/94 20:26

139C-MA-107588-2912

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 10 1994	
FBI - LOS ANGELES	

IV

DATE: 08/30/94 TIME: 20:25

3TWG233 RECORD NOT ON FILE

END

OUTPUT MSG 150, FROM CL1@ FOR FBI2 08/30/94 20:27

FBI Footwork Puts Computer Hacker in Jail

By JOHN JOHNSON
TIMES STAFF WRITER

An FBI agent caught one of the nation's most wanted computer hackers in a foot chase Monday morning in West Los Angeles, where the fugitive was sighted about two blocks from the FBI's office after spending nearly a year on the run.

Justin Tanner Petersen, who has claimed that he worked undercover helping the FBI track down other criminal hackers, had been sought by federal agents since he fled while awaiting sentencing on a conviction stemming from the hacker underground's most sensational scam—hijacking radio station phone lines in Southern California to win contests with prizes ranging from new cars to trips to Hawaii.

Petersen also had pleaded guilty to tapping into the files of a credit card information bureau and transporting a

stolen car across state lines.

A rangy, 34-year-old whose stylish clothing contrasted sharply with the stereotypical image of hackers as slovenly nerds, Petersen took the hacker moniker Agent Steal, using the name of an officer who once investigated him.

Petersen, who faces up to 40 years in prison and fines of up to \$1.5 million, was caught after a short foot chase that began outside an apartment building where an agent saw him getting out of a BMW, just blocks from the FBI's Westwood offices.

"It was superb police work by some very dedicated agents," said Assistant U.S. Atty. David Schindler, who would not reveal any other details of the capture.

Wearing open sandals, with dark hair down the middle of his back, Petersen appeared briefly before U.S. District Judge Stephen V. Wilson, who declined to set bail and scheduled sentencing Oct. 31.

Sentencing on the charges had been delayed several times while Petersen apparently cooperated behind the scenes—but never quietly—with the government's investigation of computer hacking.

Petersen told friends that the FBI was paying his rent and flying him to computer conferences to spy on other hackers. He gave an interview last year to an on-line publication called Phrack in which he claimed to have tapped the phone of Heidi Fleiss, the alleged "Hollywood madam." He did not say why.

He also boasted of helping the

(e Below)

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES

Date: TUE., 8-30-94
Edition: METRO, B-1

Title: **FBI FOOTWORK PUTS COMPUTER HACKER IN JAIL**

Character:
or

Classification:

Submitting Office: LOS ANGELES

Indexing:

FBI in their efforts to bust another hacker, Kevin Mitnick, the FBI's most wanted hacker suspect.

"When I went to work for the bureau I contacted" Mitnick, Petersen said in that interview. "He was still up to his old tricks, so we opened a case on him. . . . What a loser. Everyone thinks he is some great hacker. I outsmarted him and busted him."

Government agencies never have confirmed that they used Petersen as an active agent. The closest they have come is a reference in a federal court document that said Petersen, "acting in an undercover capacity, currently is cooperating with the United States in the investigation of other persons in California."

However close the relationship, it came to an end Oct. 22, 1993, when Petersen was confronted outside federal court and asked if he had been committing more crimes while awaiting sentencing on his other charges. Schindler said Petersen admitted he had.

After meeting briefly with his attorney, Petersen took off. "I've got a big problem and I'm splitting," a friend said Petersen told him the same day.

Petersen's attorney, Morton Boren, said he visited Petersen for a short time Monday at the Metropolitan Detention Center, where federal prisoners are held in downtown Los Angeles. "He was depressed and worried," Boren said.

While he was on the run, friends continued to hear from him, and some said he never strayed far from his old Westside haunts. A

well-known figure on the night-club scene who operated after-hours clubs in Hollywood and the San Fernando Valley, he had a reputation as a sharp dresser and ladies' man who sometimes carried a cane. He lost part of one leg in a motorcycle accident.

Schindler declined to say whether new charges will be filed against Petersen. At the time of his arrest, Petersen was carrying false identification, Schindler said.

Coincidentally, the alleged mastermind of the radio station contest scheme, Kevin Poulsen, who used the hacker nickname Dark Dante, was appearing in federal court Monday almost at the same time that Petersen was brought in. Schindler asked that a sealed plea agreement—in which Poulsen admitted computer fraud, obstruction of justice and money-laundering—be made public so the information could be used in Poulsen's upcoming Northern California trial on charges of possessing a national security document.

U.S. District Judge Manuel Real refused to make the agreement public, saying he did not want the case "tried in the press." He allowed Schindler to send the plea agreement to the judge in Northern California, who will decide whether the information contained in it can be used at trial.

Poulsen already has been in jail about 3½ years, the longest time spent behind bars by someone convicted of computer hacking crimes.

Times staff writer Julie Tamaki contributed to this story.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

9/6/94

Pursuant to a search warrant executed at [REDACTED] Costa Mesa, California, [REDACTED] was interviewed at that location concerning her knowledge and association regarding JUSTIN PETERSEN, also known as (aka) Eric Heinz, Nicholas Forbes:

[REDACTED] California, and approximately four months ago, she met an individual known to her as ERIC HEINZ at the club.

[REDACTED] was reluctant to discuss PETERSEN any further, however, [REDACTED] was told that certain computer items which were observed through a bedroom window a couple days earlier by the Agents searching the premises were now missing.

[REDACTED] stated that on September 1, 1994, she removed PETERSEN's computer and some clothing and delivered those items to [REDACTED] Boulevard, Hollywood, California, telephone number [REDACTED] [REDACTED] phone number was handwritten by [REDACTED] on the back of a white envelope. Although [REDACTED] stated that she does not know anything about computers, [REDACTED] could not explain as to why she removed certain computer components and documents and delivered those items to [REDACTED] [REDACTED] stated that she was not instructed by PETERSEN or his attorney to deliver those items to [REDACTED]. She recalled that PETERSEN had introduced her to [REDACTED] and she figured that she could leave those items with [REDACTED]

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In a subsequent phone conversation with [REDACTED] on the same day, [REDACTED] said that she received a telephone call from PETERSEN's attorney on Monday, August 29, 1994, to inform her that PETERSEN had been arrested by the Federal Bureau of Investigation (FBI). She said that PETERSEN's attorney did not ask her to remove any items from the apartment. [REDACTED] received two collect calls from PETERSEN on Wednesday and one collect call from PETERSEN on Thursday, September 1, 1994. On

Investigation on 9/2/94 at Costa Mesa, California File # 139C-LA-127588-293
by SAs [REDACTED] and VSE/CDW Date dictated 9/2/94

139C-LA-127588

Continuation of FD-302 of [redacted], On 9/2/94, Page 2

September 1, 1994, [redacted] went to the Metropolitan Detention Center, Los Angeles, California, for the purpose of delivering twenty dollars to PETERSEN who needed some money. She said that PETERSEN did not instruct her to remove any items from the apartment.

[redacted] is described as follows:

Name:

Race:

Sex:

Date of Birth:

Height:

Weight:

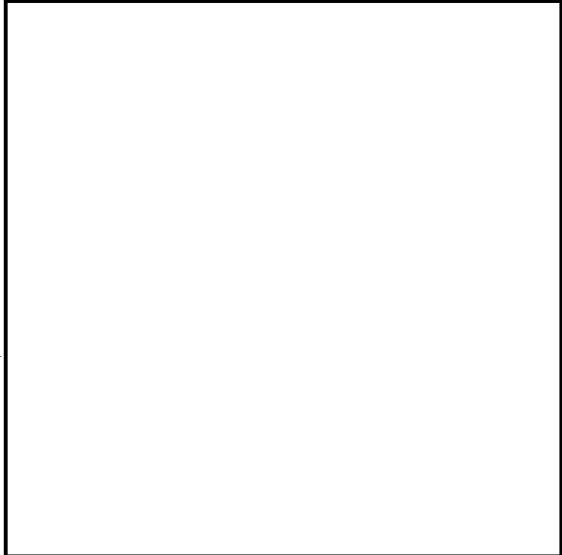
Hair:

Driver's License
Number New Hampshire:

Previous Address:

Social Security
Account Number:

Vehicle:

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

9/8/94

At 1:14 P.M. on September 2, 1994, a search was conducted at [redacted] Costa Mesa, CA pursuant to a search warrant issued on that same date by United States Magistrate Joseph Reichmann, United States District Court, Central District of California, Los Angeles, CA. Present at this location was a female individual named [redacted]

At approximately 1:35 P.M. an incoming phone call was received by [redacted]. After a short conversation [redacted] handed the phone to SA [redacted] who spoke to a female individual who identified herself as [redacted] stated that she is [redacted] mother and wanted to know whether [redacted] needed an attorney. SA [redacted] stated that he could not give advice as to whether [redacted] needed an attorney. [redacted] asked if [redacted] was going to be arrested. SA [redacted] stated that [redacted] was not going to be arrested but that [redacted] cooperation was being sought concerning some items that had apparently been removed from the location. SA [redacted] then returned the phone to [redacted] and after a short conversation the phone call was concluded.

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Investigation on 9/2/94 at Costa Mesa, CA File # 139C-LA-127588 394by SA [redacted] Date dictated 9/8/94

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/6/94

[REDACTED] was contacted at her home. [REDACTED] Huntington Beach, California, telephone [REDACTED] concerning the property at [REDACTED] Huntington Beach, California. After having been advised of the purpose and identity of the interviewing Agent, [REDACTED] provided the following:

[redacted] which included [redacted] of that building had been rented from late March, 1994 until late May, 1994 by a white male fitting the description of JUSTIN TANNER PETERSON. [redacted] confirmed PETERSON's identity after viewing a picture of PETERSON, shown to her by the interviewing Agent.

[redacted] provided a copy of the information obtained from PETERSON during the rental application process. PETERSON identified himself as NICHOLAS JASON FORBES, Social Security Number 546-85-1022, Date of Birth 8/9/66, Driver's License Number N9373580 California, Occupation Photographer for 6 years. The application containing the signature of FORBES was completed by PETERSON in pen.

[redacted] advised that PETERSON had left for not paying the rent after discussing the matter with the buildings owner. Payments of \$1,400.00, \$950.00 and \$900.00 from PETERSON. Payments were made in the form of money order, the first one was received on March 14, 1994.

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An address of [REDACTED] West Hollywood, California, 90046, was provided as a previous residence. [REDACTED] credit inquiry on NICHOLAS FORBES indicated that address was for

Investigation on 9/2/94 at Huntington Beach, CA File # 139C-LA-127588-*295*
by SA  kgm Date dictated 9/6/94



UNITED STATES POSTAL INSPECTION SERVICE
FAX Document Transmission Sheet

P.O. Box 22793
300 N. Long Beach Blvd., Room 502
Long Beach, California 90801-5793

Telephone: 310/983-8329
FAX: 310/983-8329
FTS/PEN: Unavailable

Company:	FBI
Name:	RN
Your Case Number:	9-9-94
Our Case Number:	
FAX Number:	Number of Pages: 0 + 2

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* * MESSAGE * *

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. MAILS.

FAX.FRM
08/15/92

5/2/94.

reported mailbox vandalism to
HB PO on Saturday 4/30.

Recalled [redacted] for further info.
Her "patis" gardener keeper,
[redacted] saw a man
around the mailboxes on Thurs. 4/28.
Marios hours are Wed - Sunday 7-330pm.

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The apt Bldgs are [redacted]

(pd rpt 94-10025) 0

and [redacted] (pd rpt 94-10024).

suspect!
6'1", 30ish white male brown hair
ponytail, driving grey BMW 3258
TX lic BVX29R. He was wearing
a tool belt but he was not in
a uniform.

Bikes broken into again on Sunday 5/1.

SFA

SEP-09-1994 14:51

U S POSTAL INSPECTORS

310 983 8329 P.03

RR.TXDPS0000
13:08 09/09/94 10171
13:08 09/09/94 00725 CAPO00800
*IS3536\$\$\$\$
TXT
R-JUN/94 LIC BVX29R,OLD # BVX29R
85, BMW, 2D, WBAAB5402F9514665

HOUSTON, TX

Received from NLETS: 09-Sep-1994 04:05pm Printed: 09-Sep-1994 04:05pm

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

9/14/94

[redacted] date of birth [redacted] was telephonically contacted and informed that his California driver's license was recovered at the time of JUSTIN PETERSEN's arrest. [redacted] provided the following information:

[redacted] explained that last Memorial Day, he had been stopped by the Long Beach Police Department for a moving violation. After learning there was outstanding traffic fines, the police confiscated [redacted] license at the scene.

Sometime in July, 1994, [redacted] received a new driver's license in the mail from Sacramento, California. Within a couple of weeks, [redacted] lost his driver's license at a gas station near his apartment on [redacted] Costa Mesa, California.

Approximately two or three weeks ago, [redacted] said that he received a new driver's license in the mail. [redacted] said he did not submit any request to the Department of Motor Vehicles for a new driver's license and he was unable to explain why he had received another driver's license in the mail.

[redacted] advised that he did not know anyone by the name of JUSTIN PETERSEN, ERIC HEINZ or NICHOLAS FORBES.

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(telephonically)

Investigation on 9/12/94 at Los Angeles, CA File # 139C-LA-127588 *298*by SA [redacted] *dw* Date dictated 9/12/94

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/13/94

[redacted] Huntington Beach, California, telephone [redacted] was telephonically contacted concerning the alleged theft of mail in his neighborhood. After having been advised of the purpose and identity of the interviewing Agent, [redacted] provided the following:

[redacted] advised that a few months ago there had been mail stolen from his mail box and some of his neighbors mail boxes. The mail boxes in the neighborhood were not locked and were in the front of their homes. One of [redacted] neighbors had found some ripped open envelopes from his mail in the nearby bird aviary.

[redacted] said that the neighbor had moved to Colorado, but [redacted] could have the neighbor contact the interviewing Agent.

Sometime after the believed mail theft, [redacted] received bills on a Mastercard credit card and a Visa credit card, which he had stored in home safe and had not used. He maintained the cards in case he needed additional credit at some point. The bills contained charges of \$1,297.00 and \$4,695.96, on the Visa and Mastercard, respectively.

The Visa card contained \$130.00 charges on May 19, 20, 21, 22, 28, 29, 30, 1994, June 1 and 3, 1994, plus another charge on May 29, 1994 of \$127.00, for a total of \$1,170.00, to SOUTHWEST AIRLINES for flights to and from Las Vegas, Nevada.

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The Mastercard bill contained \$4,695.96 of charges as follows:

- On April 21, 1994, \$1,562.99 at RIVERIA HOTEL, Las Vegas, Nevada
- On April 21, 1994, \$1,562.99 at BALLEY'S HOTEL, Las Vegas, Nevada
- On April 22, 1994, \$524.99 at RIVERIA HOTEL, Las Vegas, Nevada
- On April 22, 1994, \$1,044.99 at BALLEY'S HOTEL, Las Vegas, Nevada.

[redacted] said that he would make the documents concerning this matter available to the interviewing Agent, and would be available for further inquiry.

Investigation on 9/12/94 at Los Angeles, Ca File # 139C-LA- 101588-5991
 by SA [redacted] /kgm Date dictated 9/13/94

139C-LA-

Continuation of FD-302 of [redacted], On 9/12/94, Page 2

b6
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[redacted] was in the sports equipment business.
[redacted] wife name was [redacted]

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 9/12/94

TO : SAC, LOS ANGELES (139C-LA-127588) (CE-6)

FROM : ADIC, WMFO (C-17) (NVMRA) (RUC)

SUBJECT : JUSTIN TANNER PETERSEN - FUGITIVE (B);
 KEVIN POULSEN;
 IOC;
 OO: LOS ANGELES
b6
b7C
 Reference LA teletype to WMFO dated 8/31/94 and
 telcall from SA [] WMFO to SA [] LA on 9/12/94.

 Per reference LA teletype reporting the arrest of
 captioned subject in Los Angeles, California on 8/29/94, WMFO
 will discontinue current leads and consider this matter RUC'D.

2 - Los Angeles
 1 - Baltimore (Info)
 1 - WMFO
 LMB:lmb*
 (4)

1*

139C-LA-127588-300

SEARCHED	INDEXED
SERIALIZED	FILED
DCC	
FBI - LOS ANGELES	

B

 Approved: _____ Transmitted _____
 (Number) (Time) Per _____

0088 MRI 01799

OO FBILA

DE FBILA #0018 2562230

SER 13 0 41 PM '94

ZNR UUUUU

O 132219Z SEP 94

TELETYPE ROOM

FM FBI LOS ANGELES (139C-LA-127588)

TO FBI BALTIMORE/IMMEDIATE/

FBI CHICAGO/IMMEDIATE/

FBI SAN FRANCISCO/IMMEDIATE/

FBI WMFO/IMMEDIATE/

BT

UNCLAS

CITE: //3410:CE-6//

SUBJECT: JUSTIN TANNER PETERSEN; KEVIN POULSEN; [redacted]

[redacted] LOC; OO: LOS ANGELES.

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REFERENCE LOS ANGELES TELETYPE DATED SEPTEMBER 1, 1994.

DISCONTINUE ALL LEADS. SUBJECT PETERSEN ARRESTED
AUGUST 29, 1994 IN LOS ANGELES WITHOUT INCIDENT. PETERSEN
APPEARED BEFORE U.S. DISTRICT COURT JUDGE WILSON, CENTRAL
DISTRICT, CALIFORNIA, ON AUGUST 29, 1994 AND SENTENCING IS

TELETYPE

301
139C-LA-127588

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 13 1994	
4463	4464
4465	

AKP

PAGE TWO DE FBILA 0018 UNCLAS

SCHEDULED FOR OCTOBER 31, 1994.

BT

#0018

NNNN

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/14/94

[redacted] was telephonically contacted concerning a pack of her bank checks found in the property of JUSTIN TANNER PETERSON. After having been advised of the purpose and identity of the interviewing Agent, [redacted] provided the following:

[redacted] confirmed that she had moved to her home address was [redacted] Huntington Beach, California 92647, in June, 1994. She said her home telephone was [redacted] her work telephone was [redacted] and that she had a bank account at the [redacted].

[redacted] had ordered checks, but only received one box of checks. Her usual check order came in two boxes. When she only received one box in the mail, [redacted] thought that she had made a smaller than usual order.

[redacted] described her building as a three story apartment building and the apartment complex was believed to contain about 250 units. The mail boxes were easily accessible to everyone.

[redacted] did not recall having seen anyone fitting the general description of JUSTIN TANNER PETERSON. The interviewing Agent advised that PETERSON was in possession of a pack of her checks numbered 0751 to 0775, to which [redacted] responded that she had not authorized him to be in possession of her checks. She did not know PETERSON. She reviewed her balance with the bank and did not think she had suffered a theft from her account. [redacted] did not receive any notice of any fraud on her credit cards recently. Several months ago, [redacted] GTE calling card number had been used to make unauthorized long distance call to Asia, Africa and South America. GTE had absorbed the loss.

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[redacted] advised that she would inquire with the residence association as to any reports of mail theft, credit card fraud or mail fraud. She said that she would be available for further inquiries.

telephonicallyInvestigation on 9/14/94 at Los Angeles, Ca File # 139C-LA-127588 -302by SA [redacted] kgm Date dictated 9/14/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

9/26/94

[redacted] telephone number [redacted], was interviewed at [redacted] Huntington Beach, California. After apprising [redacted] of the Agents identity and the interview concerned JUSTIN PETERSEN, [redacted] provided the following information:

[redacted] has been employed by [redacted]
[redacted] for approximately two years [redacted]
[redacted]

Warner Avenue, Huntington Beach, California.

Approximately three months ago while walking in the subterranean parking garage at [redacted] at approximately 3:15 p.m. [redacted] heard a banging sound from the mailbox area. [redacted] walked over to the mailbox area and observed a white male walking away from the mailboxes. [redacted] described the individual as a white male, 6'1", 160 pounds, long brown hair in a ponytail, wearing a gray baseball hat, black T-shirt, blue Levi's and a tool belt with telephone related tools.

[redacted] noticed that three mailboxes, numbers 115, 124, 224, had been forced opened, possibly with a screwdriver. [redacted] was not sure if this individual stole any mail. [redacted] followed the individual to the gate and observed the individual depart in a gold or silver BMW on [redacted] Street. After notifying [redacted] of possible mail theft, [redacted] proceeded to the other subterranean garage in the apartment complex located on [redacted] Street at approximately 3:30 p.m. to go home. While walking to his car, [redacted] observed the same individual he had seen earlier in the other garage, walking towards the mailboxes. After noticing [redacted] the individual exited the garage using the stairway. [redacted] observed the individual leave in a BMW, Texas license plate BVX29R.

[redacted] was unable to identify a photograph of JUSTIN PETERSEN.

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Investigation on 9/21/94 at Huntington Beach, CA File # 139C-LA-127588 - 303
by SAs [redacted] and [redacted] SEO/dw Date dictated 9/21/94

139C-LA-127588

MCT/krc

-1-

The following investigation was conducted by Special Agent [redacted] at Houston, Texas on September 6, 1994.

[redacted] THE MAIL ROOM, 10878 Westheimer, Houston, Texas 77042, telephone number (713) 780-3362, advised that from a review of information available to him, [redacted] had rented Box 121 on February 9, 1994. The renter was [redacted]. The file further indicated a telephone number of 935-8681 and a driver's license, state not indicated, [redacted].

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The Texas Department of Public Safety records were caused to be reviewed in regard to Texas License number BVX29R which indicates that title number 22200042631370 was issued on May 17, 1994, to [redacted], Houston, Texas 77042. The vehicle is an 1985 BMW 2-door, Vehicle Identification Number WMBAB5402F9514665. The previous owner was listed as [redacted] Houston, Texas, registered on May 17, 1994.

139C-LA-127588-
304

SEARCHED	INDEXED
SERIALIZED	FILED
DEC - 7 1994	
FBI - LOS ANGELES	

8

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 9/30/94

TO : SAC, LOS ANGELES
 FROM MDJ SAC, HOUSTON (139C-LA-127588) (RUC)
 SUBJECT : JUSTIN TANNER PETERSEN;
 KEVIN POULSEN;

IOU;
 OO: LOS ANGELES

Re Los Angeles teletype to Houston dated 8/31/94 and
 Houston telcall to Los Angeles on 9/15/94.

Enclosed for Los Angeles are an original and one copy
 of an investigative insert at Houston, Texas.

In view of the fact that the vehicle has not been
 reported stolen, no further investigation is being anticipated
 by the Houston Division.

② - Los Angeles (Enc. 2)
 1 - Houston (139C-LA-127588)
 MCT/krc
 (3)

NO orig -

139C-LA-127588-305

SEARCHED	SERIALIZED	INDEXED
INITIALS	INITIALS	INITIALS
OCT 04 1994		
FBI - LOS ANGELES		

b6
 b7c

1*

W. Pencel

Approved: _____ Transmitted _____
 (Number) (Time) Per _____

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 10/6/94

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/ROUTINE/
 INFO FBI SAN FRANCISCO/ROUTINE/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: FBIHQ, ECONOMIC CRIMES UNIT.

SUBJECT: JUSTIN TANNER PETERSEN; KEVIN POULSEN; IOC; OO: LOS ANGELES.

REFERENCE LOS ANGELES TELETYPE TO FBIHQ DATED 8/30/94.

FOR THE INFORMATION OF FBIHQ AND SAN FRANCISCO, POULSEN
 IS CURRENTLY SCHEDULED TO BE SENTENCED 1/9/95, PETERSEN ON
 1/30/95 ON 3/27/95.

AS PREVIOUSLY REPORTED TO THE BUREAU, PETERSEN HAD AGREED
 TO PLEAD GUILTY TO SIX COUNTS PER PLEA AGREEMENT DATED
 10/8/91. AS A RESULT OF CONTINUED CRIMINAL ACTIVITY, ON

b6
b7C

SCH/PA

Approved: CD/k Original filename: D2W002W.279Time Received: 1161280 Telprep filename: D2W002S0.279MRI/JULIAN DATE: 1161280 ISN: 9FOX DATE & TIME OF ACCEPTANCE: at 1410139C-LA-
127588CD/k

^PAGE 2 (139C-LA-127588) UNCLAS

10/22/93, USDC JUDGE STEPHEN WILSON, LOS ANGELES, REVOKED PETERSEN'S BOND AND A BENCH WARRANT WAS ISSUED. FOLLOWING PETERSEN'S ARREST ON 8/29/94, SEARCH WARRANTS WERE EXECUTED AT PETERSEN'S RESIDENCE AND ON HIS VEHICLE. CONSEQUENTLY, PETERSEN WILL BE INDICTED ON ADDITIONAL COMPUTER HACKING RELATED CHARGES.

PER POULSEN'S PLEA AGREEMENT, POULSEN AGREED TO BE DEBRIEFED REGARDING HIS KNOWLEDGE [REDACTED]

[REDACTED] IT IS ANTICIPATED THAT DEBRIEFING OF POULSEN WILL OCCUR WITHIN THE NEXT MONTH.

THE BUREAU AND SAN FRANCISCO DIVISION WILL BE KEPT APPRISED OF ANY MAJOR DEVELOPMENTS.

BT

b7E

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 10/7/94

TO : SAC, LOS ANGELES (139C-LA-127588)
 FROM : SAC, BALTIMORE (139C-LA-127588) (RUC)
 (SQ 16)
 SUBJECT : JUSTIN TANNER PETERSEN - FUGITIVE (B);
 KEVIN POULSEN;

[redacted]

IOC;
 OO:LA

Re Baltimore airtel to Los Angeles dated 9/7/94.

For information of Los Angeles, referenced communication identified [redacted] as having office space in the [redacted] Upper Marlboro, Maryland 20772. This address is located in the [redacted] and is jointly referred to as being located at [redacted] Avenue, Upper Marlboro, Maryland and [redacted] Upper Marlboro, Maryland. [redacted]

[redacted]
 work number is [redacted] Contact with [redacted] revealed that he is quite uncooperative, desiring not to discuss [redacted] [redacted] with law enforcement personnel. Indications are that he had "disowned" [redacted] and has had no contact [redacted] the recent past.

②-Los Angeles
 2-Baltimore
 HFH:mab
 (4)

b6
 b7c

307

139C-LA-127588-

SEARCHED	INDEXED
SERIALIZED	FILED
Oct 11 1994	
FBI - LOS ANGELES	

139C-6

[redacted]

Approved: ADB 10/7/94 Transmitted _____
 (Number) (Time)

139C-LA-127588

Contact with [redacted] Prince Frederick, Maryland 20678, telephone [redacted] determined she has been separated from [redacted] for approximately [redacted] time. [redacted] advised there was very infrequent contact between [redacted] over the past [redacted] years. She advised she last saw [redacted] over Thanksgiving about [redacted] years ago. [redacted] also advised her [redacted] due to the trouble he had been involved with over the years.

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b7C

Baltimore Division case agent not provided the file copy of Los Angeles discontinue teletype dated 8/31/94 prior to covering leads set out in referenced airtel.

As no leads remain in Baltimore Division, this matter considered RUC'd.

10/18/94

***** ARREST *****

SENSITIVE / UNCLASSIFIED

Case Number: 139C LA0127588
Serial No.:

Stat Agent Name: [REDACTED]
Stat Agent SOC.: [REDACTED]

Report Date: 10/18/1994
Accom Date.: 08/29/1994

Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name
Drugs : N	[REDACTED]	[REDACTED]	PETERSEN, JUSTIN, TANNER
A Fugitive. : Y			
Bankruptcy Fraud. : N			
Computer Fraud/Abuse. : Y			
Corruption of Public Officials: N			
Forfeiture Assets : N			

RA Squad Task Force

HQ CE6

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II
COMPUTER ASST	PEN REGISTERS	UCO-OTHER
CONSEN MONITR	PHOTO COVERAGE	NCAVC/VI-CAP
ELSUR/FISC	POLYGRAPH	VISUAL INVEST
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC
ENG TAPE EXAM	SOG ASST	ERT ASST
HYPNOSIS ASST	SWAT TEAM	BUTTE-ITC
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC
INFORMANT/CW	TEL TOLL RECS	

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Arrest by Fed or Local (F/L) : F
Arrest Subject Priority (A/B/C) : C
Did Subject Resist (Y/N) : Y
Was Subject Armed (Y/N) : N

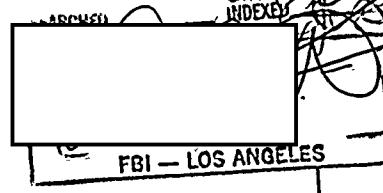
b6
b7C
b7E

United States Code Violation

Title Section Count

Accomplishment Narrative

139C-LA 67588



SENSITIVE / UNCLASSIFIED

ACCOMPLISHMENT TYPES

Complaint
Information
Indictment
Arrest
Locate
Summons
Hostage(s) Released
Child Locate
Recovery
Restitution
PELP
Civil/RICO
AFA Payment
Admin. Sanction
Conviction
Pretrial Diversion
Acquittal
Dismissal

PELP CODES

22 Counterfeit
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated
Sound Recordings or
Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme
Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negotiable Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

JOINT AGENCY CODES

BATF Bureau of Alcohol, Tobacco and
Firearms
DEA Drug Enforcement Administration
DOI Department of Interior
FAA Federal Aviation Administration
INS Immigration and Naturalization
Service
IRS Internal Revenue Service
NBIS National NARC Border
Interdiction
RCMP Royal Canadian Mounted Police
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USTR U.S. Treasury
ST State
LOC Local
OTHR Other

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject Died or is Fugitive)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

RACE CODES

B Black
C Chinese
I Indian/American
J Japanese
O Other
U Unknown
W White

For Further Instructions See:
MAOP, Part II, Section 3.3-5.

ORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or L.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERNMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

12/8/94

[redacted] Internal Audit
Division, HELLER INTERNATIONAL CORPORATION, telephone number (312) 441-7114, was telephonically contacted concerning a \$150,000 fraudulent wire transfer involving JUSTIN PETERSEN. [redacted] provided the following information:

[redacted] explained that in order to transfer funds from HELLER's account at MELLON BANK, Pittsburgh, Pennsylvania, an individual must know the MELLON wire transfer telephone number; the "K" number password; a divisional password and two individual passwords consisting of normally seven digits.

Referring to his records, [redacted] stated that on August 17, 1994, HELLER FINANCIAL, 505 North Brand Boulevard, Glendale, California, (818) 409-1800, received two phone calls at 1:22 p.m. and 1:24 p.m. Both callers said there was a bomb in the building and the second caller had a Middle Eastern accent. The second bomb threat was called to a room near the wire transfer room. The first bomb threat was called into the reception area on HELLER's general phone number (818) 409-1800 and the second bomb threat was made directly to the Sales Department within approximately ten feet of the wire transfer unit. As a result, the building was evacuated and employees were allowed to return at approximately 3:00 p.m. to retrieve their personal items and leave for the rest of the day. Glendale and Los Angeles Police Departments responded to the bomb threat.

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On August 18, 1994, HELLER employee [redacted] (individual password [redacted]) while reconciling the wire transfer account, discovered an unauthorized wire transfer of \$150,000 was initiated at 1:24 p.m. and released at 1:25 p.m. on August 17, 1994, during the bomb threat.

[redacted] stated that at 12:24 p.m. on August 17, 1994, an individual logged on from a 213 area code to KO1772 (a four digit bank account number assigned to HELLER's Glendale office which is known at HELLER's corporate offices, MELLON BANK and

(telephonically)

Investigation on 11/21/94 at Los Angeles, CA File # 139C-LA-127588-312by SA [redacted] Date dictated 11/21/94

139C-LA-127588

Continuation of FD-302 of [redacted], On 11/21/94, Page 2

wire transfer operators) and used passwords of HELLER employees [redacted] (password [redacted] and [redacted] (password [redacted]) and at 1:19 p.m., the first access from a 415 area code occurred followed by the bomb threats. At 1:24 p.m., \$150,000 was wire transferred utilizing [redacted] password and [redacted] password [redacted] was used to release the wire. The funds were wired to UNION BANK, Bellflower, California, to the account of [redacted], account number [redacted]. At 2:19 p.m., a second access from a 415 area code occurred for the purpose of retrieving the "all wires sent" report which confirmed all successful wires sent that day.

According to [redacted] attempts to wire transfer \$150,000 and the unauthorized use of passwords occurred in the preceding two week period leading up to the wire transfer on August 17, 1994. Specifically, on August 11, 1994, an attempt was made to wire transfer \$150,000 to BANK OF AMERICA, [redacted] password which was eventually deleted by the operator. [redacted] explained that [redacted] is a client of HELLER's. [redacted] reiterated that all attempts were made from a 213 area code and all log-ons to [redacted] were from a 415 area code.

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[redacted] related that the [redacted] account had been opened for approximately nine months at the time of the wire transfer and the account had been opened by [redacted] [redacted] attempted to withdraw the \$150,000 from their account on August 18, 1994 via a cashier's check. Prior to the [redacted] arrival, HELLER FINANCIAL had contacted UNION BANK concerning the fraudulent wire transfer. [redacted] attorney, [redacted] contacted [redacted] and he was referred to HELLER's financial attorney, [redacted]. Both attorneys consummated an agreement whereby [redacted] agreed to return the funds to HELLER upon proof that the wire transfer was fraudulent. [redacted] stated that presently, the funds continue to remain in an escrow account awaiting [redacted] approval.

[redacted] stated that [redacted] claimed that the \$150,000 was received from an individual known as [redacted] who owed [redacted] money concerning the purchase of gas station leases. [redacted] attorney confirmed the fact that [redacted] owed [redacted] \$150,000 and they are currently involved in a financial dispute. [redacted] stated that [redacted] was not interviewed because [redacted] was under some investigation by the FBI.

139C-LA-127588

Continuation of FD-302 of [redacted], On 11/21/94, Page 3

[redacted] advised that all the employees at the Glendale office responsible for wire transfers have been interviewed and they have determined that their passwords were not released to anyone.

[redacted] phone number at work is [redacted] home number [redacted] work number is [redacted] and home number is [redacted] work phone number is [redacted]

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DOW JONES NEWS/RETRIEVAL®

P.O. Box 300, Princeton, New Jersey 08543-0300
609-520-4000

December 6, 1994

[REDACTED]
FBI
11000 Wilshire Blvd.
Los Angeles. CA 90028

Dear Mr. [REDACTED]

I am writing to provide you with the information you requested regarding the three Dow Jones News/Retrieval customers whose passwords were compromised during the month of August 1994.

In mid-September two of our private investor customers contacted us to report unauthorized usage on their accounts. We then received a letter from a corporate customer with the same complaint. All three customers had accesses in our //TEXT database and they were all dialing in through the same Sprintnet number; 818-507-0909.

Before we received the letter from the corporate customer, our systems development department found that on the private investors' passwords the same search statements were used to access the //Text database. Each of the searches were on the FBI.

The total amount of adjustments Dow Jones issued because of this unauthorized usage was \$5,942.41. Below please find the names and addresses of these customers. We have contacted each of them and all have agreed to cooperate.

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Please let me know if we can be of any further assistance.

Sincerely

Director
Business Operations and Administration

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/13/94

California, [redacted] Burbank, [redacted] telephone number [redacted] was telephonically contacted concerning JUSTIN PETERSEN:

[redacted] advised that he has used the services of Dow Jones News/Retrieval for approximately 4-5 years concerning stock data. LOWE pays a flat fee charge of \$29.95 a month.

[redacted] related that after receiving a monthly bill of \$1,690.05, he immediately notified Dow Jones of the unauthorized usage of his account. [redacted] said that he accessed the service utilizing Sprint Net Number (818) 507-0909.

Subsequently, [redacted] account was credited for the same amount and he was given a new password.

[redacted] said he did not know JUSTIN PETERSEN, also known as (aka) Eric Heinz, Nicholas Forbes, and he did not provide PETERSEN with his password.

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Investigation on 12/8/94 at Los Angeles, CA File # 139C-LA-127588-315
by SA [redacted] RW Date dictated 12/8/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

12/12/94

California, telephone number [redacted] Granada Hills, [redacted] was telephonically contacted concerning JUSTIN PETERSEN:

[redacted] advised that he has used the services of Dow Jones News/Retrieval for approximately 10 years concerning stocks and stock quotes. [redacted] pays a flat fee charge of \$29.95 a month and his monthly bill normally amounts to \$50-\$60 depending on computer usage.

[redacted] related that after receiving a monthly bill of \$3,306.45, he immediately notified Dow Jones of the unauthorized usage of his account. [redacted] said he accessed the Dow Jones service utilizing Sprint Net Number, (818) 507-0909. Subsequently, [redacted] account was credited for the same amount and he was given a new password.

[redacted] said he did not know an individual by the name of JUSTIN PETERSEN, also known as (aka) Eric Heinz, Nicholas Forbes and he did not provide PETERSEN with his password.

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Investigation on 12/8/94 at Los Angeles, CA File # 139C-LA-127588 316
by SA [redacted] dw Date dictated 12/8/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

12/12/94

[redacted] employee of [redacted]
[redacted] Rosemead, California,
[redacted] was telephonically contacted concerning JUSTIN
PETERSEN:

[redacted] advised that she has used the services of Dow Jones News/Retrieval for approximately 10 years concerning stock quotations for utilities. [redacted] pays a flat fee charge of \$29.95 a month and her monthly bill is normally \$100.

[redacted] related that after receiving a monthly bill for \$945.91, she immediately notified Dow Jones of the unauthorized usage of her account. [redacted] advised that she accessed the service using Sprint Net Number [redacted]. Subsequently, [redacted] account was credited for the same amount and she was given a new password.

[redacted] said she did not know an individual known as JUSTIN PETERSEN, also known as (aka) Eric Heinz, Nicholas Forbes and she did not provide PETERSEN with her password. [redacted] added that [redacted] who are both in her office, utilized her account for utility quotes.

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(telephonically)

Investigation on 12/8/94 at Los Angeles, CA File # 139C-LA-127588 *317*by SA [redacted] /dw Date dictated 12/8/94

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 12/27/94

From : SA [redacted] (CE-6)

Subject: JUSTIN PETERSEN;
KEVIN POULSEN;

[redacted]
IOC;
OO: LOS ANGELES

On 12/14/94, writer and AUSA [redacted] met with [redacted] JUSTIN PETERSEN's [redacted] concerning the filing of additional Federal charges against PETERSEN.

It was suggested to [redacted] that PETERSEN as a result of his criminal activities within the last year [redacted] [redacted] plea to three additional Federal counts; Title 18, Section 3147, Penalty For An Offense Committed While On Release; Title 18, Section 371 and 1343, Conspiracy To Commit Wire Fraud and Wire Fraud.

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Investigation to date has determined that on 8/17/94, HELLER FINANCIAL, Glendale, California, received two bomb threats and the building was subsequently evacuated. While the employees were out of the building, a \$150,000 wire transfer of funds utilizing several passwords by HELLER FINANCIAL employees was initiated. The funds were wired from MELON BANK in Pennsylvania to UNION BANK, Bellflower, California, in the name of account holder [redacted]. A search of PETERSEN's computer that was seized pursuant to a search warrant in 9/94, determined the same passwords and information relating to MELON BANK and HELLER FINANCIAL and account holder information at UNION BANK. Additionally, during the search of PETERSEN's apartment, a torn letter was located in PETERSEN's personal items detailing the possibility of an unauthorized wire fund transfer from MELON BANK and the use of a bomb threat to conceal the timing of the wire transfer.

SEO/dw
(2)

139C-LA-107588-

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 27 1994	
FBI - LOS ANGELES	

318

139C-LA-127588

After HELLER discovered the transfer, they immediately notified UNION BANK before the funds were withdrawn.

Interviews of additional subjects are pending in the event PETERSEN provides details of this particular transaction as part of the additional plea agreement.

KEVIN POULSEN is still scheduled for sentencing January 9, 1995 [redacted] March 27, 1995. It is believed that PETERSEN's sentencing will be continued for approximately two months and it is believed a date in March 1995 will be set for his sentencing.

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Memorandum



To : SAC, LOS ANGELES (139C-LA-127588) Date 1/26/95

From :

SSA [redacted]

Subject: JUSTIN TANNER PETERSON
IOC
OO: LOS ANGELES

The following items are being used in the PETERSON investigation:

Description	Date

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These items should be added to the confidential inventory of the Los Angeles Office.

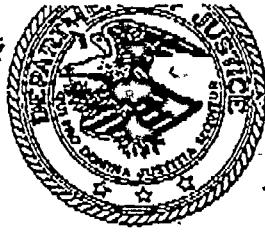
2 - 139C-LA-127588
1 - SA [redacted]
1 - [redacted] (Confidential Inventory)

DWB/ch
(3)

139C-LA-127588-320

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 26 1995	
FBI - LOS ANGELES	

[Handwritten signatures and initials over the stamp]



NEOS
RELEASE

For Immediate Distribution

CONTACT:

Carole Levitzky, Public Affairs Officer (213) 894-6947

NORA M. MANELLA
United States Attorney
Central District of California

#95-175
November 27, 1995

AUSA David J. Schindler
(213) 894-0336

FUGITIVE COMPUTER HACKER RECEIVES 41 MONTH SENTENCE, THE SECOND LONGEST SENTENCE EVER METED OUT FOR CHARGES OF HACKING INTO A FINANCIAL INSTITUTION, ACQUIRING COMPUTER PASSWORDS AND RIGGING RADIO STATION CONTESTS

United States Attorney Nora M. Manella announced today that Justin Tanner Petersen, 35, of Los Angeles, was sentenced today to 41 months in prison, ordered to pay approximately \$40,000 in restitution to his victims, and placed on supervised release for three years following his release from prison.

In sentencing Petersen to the second longest sentence ever meted out to a computer hacker, United States District Court Judge Stephen V. Wilson noted that Petersen did more damage with a computer than many criminals accomplish with a crowbar and a hammer.

Petersen's sentencing comes as part of an ongoing investigation into computer hacking and computer related crimes being conducted by the United States Attorney's Office and the Federal Bureau of Investigation.

Petersen previously pleaded guilty to various charges including conspiracy to commit computer fraud and wire fraud while he was a fugitive from law enforcement, and participating in a sophisticated computer hacking scheme through which he and others succeeded in rigging giveaway contests conducted by various radio stations.

1 - SAC. PARSONS
1 - ASSOC. SAC MCCHESNEY
1 - ASAC WADE
1 - [REDACTED]
1 - NIGHT SUPERVISOR

139-LA-127588-32B
139-LA-127588-32B
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including KIIS-FM, KRTH-FM, and KPWR-FM.

According to Assistant United States Attorney David J. Schindler, who handled the case, Petersen violated the terms and conditions of his bail in October 1993 when he admitted additional criminal activity while out on bail. Petersen pleaded guilty to participating in a scheme to obtain \$150,000 from Heller Financial, Inc. in Glendale by hacking into the institution's computers and transferring \$150,000 to another account at Union Bank. In order to cover the transfer, Petersen admitted to placing two bomb threats to Heller in order to keep Heller employees from noticing the outgoing wire transfer.

#####

(Mount Clipping in Space Below)

BRIEFLY**Hacker gets fine, jail time in fraud**

A hacker who pleaded guilty to illegally transferring \$150,000 from a bank and rigging contests was sentenced Monday in Los Angeles to 41 months in prison.

Justin Peterson also was ordered to pay \$40,000 in restitution and spend three years in supervised release.

Peterson, 35, of Los Angeles pleaded guilty to eight counts involving various computer fraud schemes attempted in 1992 and 1995.

"Here we have someone with brains and he misuses those brains," said U.S. District Judge Stephen Wilson.

— Associated Press

(Indicate page, name of newspaper, city and state.)

Page 3

DAILY NEWS
LOS ANGELES, CA.

Date: 11/28/95

Edition:

Title: HACKER GETS FINE; JAIL TIME IN FRAUD

Character:

or

Classification:

Submitting Office:

LOS ANGELES

Indexing:

324

139CLA127588-
JW JW

8

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/04/1996

To: Los Angeles

From: Indianapolis

8-MERA

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] df0104.064

Case ID #: 139C-LA-127588-325

Title: PETERSEN JUSTIN TANNER;
PETERSEN, JUSTIN
INTERCEPTION OF COMMUNICATIONS

Synopsis: Appearance of [redacted] at the Merrillville Resident Agency (MERA) of the Indianapolis Division.

Reference is made to Special Agent (SA) [redacted]
telcal to SA [redacted] 2/20/96.

Enclosures: Enclosed in a 1A envelope are the receipts provided to the FBI by [redacted] regarding a "countermeasure sweep" conducted on his home by Spy Supply, and a 1A envelope containing NCIC printout of [redacted]

Details: On 2/14/96, [redacted] white male, date of birth [redacted] Social Security Account Number [redacted] home address [redacted] Indiana, appeared at the MERA.

[redacted] stated that he had helped SA [redacted] FBI, Los Angeles, California, capture Justin Tanner, an FBI computer fraud subject. In return for his help, he was promised both money and protection and has received nothing, further stating that the FBI in Los Angeles "just told me I was crazy." It should be noted that [redacted] recited the address and telephone number of the Los Angeles Office of the FBI by heart.

[redacted] was complaining that his residence was "bugged" with numerous listening devices in the rooms and on the telephone lines, that his computer equipment was sabotaged and that he paid a local Merrillville, Indiana, company named Spy Supply, Inc. \$500 to have this information verified.

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139C-4-127588-325

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 7 1996	
[redacted]	

SA

[redacted]

SFR
Deed
1/24/96

To: Los Angeles From: Indianapolis
Re: 139C-LA-127588, 03/04/1996

insisted that the FBI, MERA, do something, as he was close to a nervous breakdown and could not sleep because of this intrusion into his privacy.

[redacted] believes that Tanner or his associate, [redacted] [redacted] may be responsible for placing the listening device in his house, but later stated that he did not know who it was and that it could also be "local thugs."

On 2/20/96, SA [redacted] telephonically contacted SA [redacted] who explained that [redacted] provided some information which indirectly led to Tanner's apprehension and that his contact with [redacted] subsequent to this cooperation was minimal. SA [redacted] also advised that [redacted] mental stability could be questioned. At this time, SA [redacted] further advised that both Tanner and [redacted] were currently incarcerated.

On the afternoon of 2/20/96, [redacted] [redacted] telephonically contacted SA [redacted] requesting an update with regard to their complaint. [redacted] was told that there was nothing that the MERA could do regarding this situation and was further advised that if they had further problems regarding this situation or any alleged promises made to [redacted] due to his cooperation in the Los Angeles case, the [redacted] would need to contact the Agent with whom [redacted] worked in Los Angeles, California. The telephone call was then terminated.

Later the same day (2/20/96), [redacted] personally appeared at the MERA, extremely agitated. [redacted] demanded that SA [redacted] sign a contract authored by him, which stated, among other things, that the FBI refused to investigate blatant violations. [redacted] then demanded that the FBI investigate this matter. During the course of this interview, [redacted] became more agitated. [redacted] was asked at this time if he had a weapon on him, at which time he replied affirmatively. A loaded 9mm was found in his waistband. [redacted] displayed a valid gun permit issued by the Porter County, Indiana, Sheriff's Department, Valparaiso, Indiana, for personal protection. At this time, [redacted] was escorted from the FBI premises by three FBI Agents and told not to return to the MERA in person.

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To: Los Angeles From: Indianapolis
Re: 139C-LA-127588, 03/04/1996

LEAD(s) :

Set Lead 1:

LOS ANGELES

AT LOS ANGELES, CALIFORNIA

For the purpose of possible future contacts with [redacted] Los Angeles will provide MERA, Indianapolis Division, with a summary of captioned case, to include the exact nature of [redacted] involvement/cooperation in this matter and any promises regarding protection/payment that may have been made to [redacted] by the FBI in exchange for his cooperation.

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(09/19/94)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/12/1996

To: Indianapolis

Attn: SA [redacted]

8-MERA

From: Los Angeles

CE-6

Contact: SA [redacted]

310-996-3613

Approved By: [redacted]

Drafted By: [redacted] dw

Case ID #: 139C-LA-127588 (Pending)

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Title: JUSTIN TANNER PETERSEN;
KEVIN POULSEN;
[redacted]

cc,

Synopsis:

Administrative: Reference communication to Los Angeles dated 03/04/1996.

Enclosures: Enclosed for Indianapolis is a copy of a FD-302 dated 08/22/1994 concerning [redacted]

Details: Captioned subjects were involved in a sophisticated computer hacking scheme in Los Angeles where they were able to obtain computer passwords by physical entry into numerous central offices of [redacted]. These burglaries resulted in the hackers obtaining technical manuals, master keys to office space and cipher pad codes. Captioned subjects were also able to identify specialized telephone circuits [redacted]
[redacted]
[redacted]

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Both subjects
Poulsen and Petersen are currently incarcerated along with [redacted]
[redacted]

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INDEXED _____
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FILED _____

139C-LA-127588-326

8

To: Indianapolis From: Los Angeles
Re: 139C-LA-127588, March 12, 1996

Promises of money and protection were not made to
[redacted]

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File - Serial Charge Out
FD-5 (Rev. 10-13-89)

Date 3-16-96

File 139C -LA- 127588

Class. Office of Origin Case No. Last Serial

Pending Closed

Serial No.	Description of Serial	Date
Charged		
327	entered by mistake	

DO NOT REMOVE OR DESTROY

DO NOT REMOVE OR DESTROY

PERMANENT CHARGE OUT
DO NOT REMOVE

(09/19/94)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/1996

To: CID

Attn: Financial Crimes
Section
Economic Crimes Unit

From: Los Angeles

CE-6

Contact: SA [redacted]

310-996-3613

Approved By: [redacted]

Drafted By: [redacted] dw

Case ID #: 139C-LA-127588 (Closed)

Title: JUSTIN TANNER PETERSEN;
KEVIN POULSEN;
[redacted]

TOC;

Synopsis: Brief summary of case.

Enclosures: Enclosed is a R-84 concerning Petersen.

Details: Captioned matter was predicated upon information received concerning Poulsen in February, 1988 when a self-storage company in Menlo Park, California, opened a storage unit for inspection due to deficient rental payments. As a result, the manager discovered numerous stolen [redacted]

[redacted] items and subsequently, Poulsen, aka John Anderson, was arrested by the Menlo Park Police Department. The matter was referred to the FBI and on October 25, 1989, Poulsen was indicted by a Federal Grand Jury, San Francisco on a multitude of computer related crimes.

On November 1, 1989, an arrest warrant was issued for Poulsen in the Northern District of California, pursuant to the indictment. As a result of Poulsen appearing on the television series "Unsolved Mysteries" in March, 1991, on April 11, 1991, Poulsen was arrested by [redacted] authorities and the FBI.

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139C-LA-127588-328

(09/19/94)

To: CID From: Los Angeles

Re: 139C-LA-127588, March 26, 1996

FEDERAL BUREAU OF INVESTIGATION

On April 14, 1991, [REDACTED] Poulsen's computer equipment and all related material from Poulsen's apartment to Tarzana Self-Storage, Reseda, California.

On June 21, 1991, Petersen was arrested by authorities in Texas for a stolen vehicle and credit card fraud. Pursuant to his arrest, a search was conducted at Petersen's apartment and numerous computer records were seized indicating that Petersen had access to [REDACTED]

[REDACTED]

On April 9, 1992, [REDACTED] pled guilty to seven counts of computer related crimes.

[REDACTED]

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To: CID From: Los Angeles
Re: 139C-LA-127588, March 26, 1996

[Redacted]

On October 13, 1992, information was uncovered to indicate that Petersen was involved in criminal activity, specifically, credit card fraud. In a subsequent interview with Petersen, he admitted that he had been using stolen credit cards and as a result fled the courthouse. Same date, Petersen's bail had been revoked by U.S. District Court Judge Wilson and a bench warrant was issued for Petersen's arrest. Same date, a search warrant was executed at Petersen's residence. As a result of the search, computers and computer related material along with fraudulent postal employee identification badge with Petersen's photograph [Redacted]

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On August 29, 1994, Petersen was arrested in Los Angeles and on November 27, 1995, Petersen was sentenced to 41 months incarceration. Petersen pled guilty to Title 18, Sections 1030, 1343, 2511 and 1029. [Redacted] August 28, 1995 to three months incarceration and two years probation. [Redacted] pled guilty to one count of Title 18, Section 2511.

On April 10, 1995, Poulsen was sentenced to 51 months incarceration and 3 years probation. Poulsen pled guilty to Title 18, Section 2232; Title 18, Section 1957; Title 18, Section 1030 (2 counts); Title 18, Section 2511 (2 counts). Poulsen has been transported by the U.S. Marshal's to San Francisco where he is currently awaiting trial.

♦♦

File - Serial Charge Out
FD-5 (Rev. 10-13-89)

Date 4-11-96

File 139 LA-127588
Class. Office of Origin Case No. Last Serial

Pending Closed

Serial No.	Description of Serial	Date Charged
<u>329</u>	<u>deleted</u>	<u>4-12-96</u>

PERMANENT CHARGE OUT

DO NOT REMOVE OR DESTROY

PERMANENT CHARGE OUT
DO NOT REMOVE

LOS ANGELES POLICE DEPARTMENT
FOLLOW-UP INVESTIGATION

MULTIPLE

DATE THIS REPORT	DATE ORIGINAL RPT.	SPECIFIC TYPE ORIG. RPT. (ADW, TFP, EVID., ARREST/BURGLAR, ETC.)	R. D.	PCD	DR
3-24-93	11-8-89	BOMBING	0643		89-0643253
VICTIM/BOOKED TO/ARRESTEE (AS ON ORIGINAL REPORT)			IF RECLASSIFYING TO HOMICIDE SEX DESCENT AGE	BKG. NO. (SUPPL. TO ARREST)	
CITY OF LOS ANGELES Fire Sta #41			VICT'S:		
CASE STATUS 1 CLEARED BY ARREST			2 CLEARED OTHER	3 REPORT UNFOUNDED	4 INVESTIGATION CONTINUED

Use this section only to add or correct info - do not repeat info from previous reports. Exception: Complete entire suspect info if making final disposition.

INV. DIV.

CHANGE TO

DATE OCCURRED	CHANGE TO-ON OR BTWN	MO	DAY	YEAR	TIME	TYPE ORIG RPT • CHG. TO	RD-CHG. TO	DR CHANGE TO		
MO	DAY	YEAR	TIME							
PROPERTY VALUE:	ADDITIONAL LOSS	PARTIAL RECOVERY		TOTAL RECOVERY		DELETE FROM ORIG. RPT.	DESCRIPTION CHANGE	ITEM NOS. RECOVERED/DELETED (ON MULT. RPTS. USE NARRATIVE)		
\$	\$	\$		\$						
S-1	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)	
	M	WHT	BRN	BRN	5/10	170	7-28-60	32	PETERSEN, JUSTIN TANNER	
									ACTION TAKEN	
									DA Reject	
2	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)	
									ACTION TAKEN	
3	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)	
									ACTION TAKEN	
									LA OR BKG. NO.	

NARRATIVE (USE BELOW COLUMNS FOR MULTIPLE REPORTS ONLY)

P/T/D	MULTIPLE RPT: PCD & DR NOS.	TYPE OF CRIME	RD	VICTIM'S NAME	DATE ORIG. RPT.	VALUE
-------	-----------------------------	---------------	----	---------------	-----------------	-------

RESUME:

On November 8, 1989, at approximately 1915 hours, an unknown suspect(s) placed and caused an improvised explosive device to detonate at the construction site of fire station #41, located at 1439 N. Gardner Street, Hollywood. The IED was placed on a concrete floor approximately in the center of the structure. At the time the structure had no roof or windows, only walls and opening for the doors. At the point of detonation there was minimal damage to the concrete floor, and chipping of several block walls. The building was unoccupied due to its stage of construction. There were no injuries reported.

Investigation by officers of the Explosives Unit, Scientific Investigation Division found that the I.E.D. was constructed of

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WAS PROPERTY BOOKED IN CONJUNCTION	IF YES, HAS 10.6 BEEN COMPLETED	NO	YES
SUPERVISOR SIGNATURE	REPORTING OFFICER(S)	SPECIAL NO.	
DATE	DIVISION DSD/CCS		

PAGE NO.	TYPE OF REPORT		BOOKING NO.	DR NO.			
2/3	BOMBING			89-0643253			
ITEM NO.	QUAN.	ARTICLE	SERIAL NO.	GRANO	MODEL NO.	MISC. DESCRIPTION (E.G. COLOR, SIZE, INSCRIPTIONS, CALIBER, REVOLVER, ETC.)	DOLLAR VALUE
<p>A microscopic examination of the residue inside the pipe nipple and debris from the pipe threads did not result in a determination as to the filler composition, except that it appeared to be low explosive deflagrating material rather than a high explosive type.</p> <p>The debris was submitted to the SID Laboratory for chemical analysis.</p> <p>No evidence of a fuse trial was observed. No determination was made as to what type of fuse material was used although the absence of electrical wire and/or components at the scene suggests that time delay pyrotechnic fuse may have been used to initiate the explosion.</p> <p><u>FOLLOW-UP INVESTIGATION:</u> On March 22, 1993, at approximately 1615 hours, I Detective [redacted] received a telephone call from F.B.I. Agent [redacted] regarding a suspect in the above bombing. Agent [redacted] informed me that an unidentified witness in a case that he was investigating told him that the suspect in this bombing was Justin Petersen. This unidentified witness stated that Petersen had admitted this to him. [redacted]</p> <p>[redacted]</p>							

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PAGE NO. 3/3		TYPE OF REPORT BOMBING		BOOKING NO.		DR NO. 93-0643253	
ITEM NO.	QUAN.	ARTICLE	SERIAL NO.	BRAND	MODEL NO.	MISC. DESCRIPTION (EG. COLOR, SIZE, INSCRIPTIONS, CALIBER, REVOLVER, ETC)	DOLLAR VALUE

Further investigation disclosed that a bombing PIR was made on November 8, 1989. DR#89-06-43253. This bombing was listed as an unsolved bombing.

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During the initial investigation at the scene, the Follow-up Report showed that Detective [REDACTED] interviewed [REDACTED] a. Martin Jason. This is one of nine (9) AKA's used by Petersen.

On March 23, 1993, I telephoned D.D.A. [redacted] regarding this case. D.D.A. [redacted] stated that the statute of limitation for this bombing was three years. The statute had run.

On March 25, I presented this case to D.D.A. [redacted] who declined prosecution. Accordingly, under Penal Code Section 801, there is a three year statute of limitations, which expired on November 8, 1992.

This case is cleared Other.

LOS ANGELES COUNTY
DISTRICT ATTORNEY

CHARGE EVALUATION WORKSHEET
(T055)

Further investigation requested.
 Probation Violation in lieu of filed.
 Prosecution declined.

DA CASE NO.

POLICE CASE NO. (DR OR URN NO.)

89-0693253

Page _____ of _____

17. Date (Mo.-Day-Year)

3-23-93

DA OFFICE CODE

LADA

DOJ REASON CODES — FOR USE ON THIS FORM AND JUS-8715

A. Lack of Corpus
B. Lack of Sufficient Evidence
C. Inadmissible Search & Seizure
D. Victim Unavailable/Declines to Testify
E. Witness Unavailable/Declines to Testify
F. Combined with Other Complaint/Cases
G. Interest of Justice
H. Other - Indicate the Reason in "Remarks" Section
I. Referred to non-California Jurisdiction
J. Deferred for Revocation of Parole
K. Further Investigation
L. Prosecutor Pending Deferral

LA COUNTY D.A. REASON CODES — NOT FOR USE ON JUS-8715

M. Probation Violation in Lieu of filed.
N. Referred to C.A. for Misdemeanor Consideration.

SUSP. NO.	SUSPECT NAME (LAST-FIRST-MIDDLE)	19. BOOKING NO.	20. CHARGES			
			CODE	SECTION	SUB-SECTION	REASON CODES (CIRCLE ONE/COUNT)
1	Peterson, Justin Tanner		D	12303	3	A B C D E F G (H) I J K L M N
2						A B C D E F G H I J K L M N
3						A B C D E F G H I J K L M N
4						A B C D E F G H I J K L M N

DESCRIPTION

1. A Fire Status Under Construction bombed on November 20, 1991. PC Soc 12303
(Explosion of Domestic Device Causing Property Damage) has a maximum term of Seven years. According to under Penal Code Section 803, there is a three year statute of limitations, (which is four years on November 8, 1992). Defendant although he confessed the crime to a FBI Agent can not be prosecuted.

District Attorney

18. COMPLAINT DEPUTY (PRINT)

18. DEPUTY CODE

18. COMPLAINT DEPUTY (SIGNATURE)

REVIEWING DEPUTY

PROMIS
CHECK
COMPLETE

In submitting this matter for consideration of a complaint, written reports of substantially all available evidence (except as to the oral information, if any, purporting to have been given by me and which is fully and correctly stated above) have been submitted to the above named Deputy (copies of which are attached hereto) except the following:

The disposition of this matter will be final unless the commanding officer requests reconsideration of the case, stating his reasons on the back of this form.

OFFICER

Los Angeles Police Department
PRELIMINARY INVESTIGATION of
BOMBINGCombined
EVID.
Report

MULTIPLE DRS ON THIS REPORT

SHOTS FIRED

USE OF FORCE

NARCOTICS
STOLEN,
NARC. DIV.DSD (GAS)/
CRASHFIREARM STOLEN/
LOST/DID & R&I
CRIME PROPERTY/T SPVR.EXTRA
COPY TO:

PRELIMINARY CASE SCREENING

SUSPECT/VEHICLE NOT SEEN
 PRINTS OR OTHER EVIDENCE NOT PRESENT
 NO NOT DISTINCT
 PROPERTY LOSS LESS THAN \$3000
 NO SERIOUS INJURY TO VICTIM
 ONLY ONE VICTIM INVOLVED

PREMISES (SPECIFIC TYPE)
FIRE STATION (CONST)

ENTRY	459/BFV	POINT OF ENTRY	POINT OF EXIT
<input type="checkbox"/> FRONT			
<input type="checkbox"/> REAR			
<input type="checkbox"/> SIDE			
<input type="checkbox"/> ROOF			
<input type="checkbox"/> FLOOR			
<input type="checkbox"/> OTHER			

VICTIM'S VEH. (IF INVOLVED) - YEAR, MAKE, TYPE, COLOR, LIC. NO.

VICTIM

LAST NAME, FIRST, MIDDLE (FIRM IF BUSINESS)

CITY OF LOS ANGELES, FIRE STA #41

ADDRESS
R-

ZIP

PHONE

9-1439 N. GARDNER ST., HWD 90046

DR. LIC. NO. (IF NONE, OTHER ID & NO.)

OCCUPATION

LOCATION OF OCCURRENCE	SAME AS V'S	<input type="checkbox"/> RES.	<input checked="" type="checkbox"/> BUS.	R.O.	PRINTS BY PREL WY
1439 N. GARDNER ST.				0643	ATTEMPT Y N OBTAINED Y N
DATE & TIME OF OCCURRENCE	11/8/89 1915 hrs		DATE & TIME REPORTED TO PD	11/8/89 1932 hrs	
TYPE PROPERTY STOLEN/LOST/DAMAGED		<input type="checkbox"/> 34 GIVEN	STOLEN/LOST	RECOVERED	EST. DAMAGED
			S	S	ARSON/VAHO.

NOTIFICATIONS (PERSON & DIVISION)

CONNECTED REPORTS (TYPE & DR#)

EVID SAME DR#

MO IF LONG FORM, LIST UNIQUE ACTIONS. IF SHORT FORM, DESCRIBE SUSPECTS ACTIONS IN BRIEF PHRASES, INCLUDING WEAPON USED. DO NOT REPEAT ABOVE INFO. BUT CLARIFY REPORT AS NECESSARY.

IF ANY OF THE MISSING ITEMS ARE POTENTIALLY IDENTIFIABLE, ITEMIZE AND DESCRIBE ALL ITEMS MISSING IN THIS INCIDENT IN THE NARRATIVE.

UNKNOWN SUSPECT(S) EXPLODED AN I.E.D. AT THE CONSTRUCTION SITE AT 1439 N.

GARDNER ST., THE CONSTRUCTION SITE IS NEW FIRE STATION #41.

MOTIVATED BY
HATRED/PREJUDICE DOMESTIC
VIOLENCE

REPORTING EMPLOYEE(S)	INITIALS LAST NAME	SERIAL NO.	DIV./DETAIL	PERSON REPORTING	SIGNATURE	OR RECEIVED BY PHONE
			DSD-CCS	x	OFCRS	
			DSD-CCS	NOTE: IF SHORT FORM AND VICTIM/PR ARE NOT THE SAME, ENTER PR INFORMATION IN INVOLVED PERSONS SECTION.		

Complete below sections if any Preliminary Case Screening boxes are not checked.

SUSP'S VEHICLE	YEAR	MAKE	MODEL	TYPE	Interior COLOR:	Exterior	Body	WINDOWS
COLOR (S)	VEN. LIC. NO.	STATE			1 BUCKET SEATS	1 CUSTOM WHEELS PAINTED INSCRIPT.	1 DAMAGE	1 DAMAGE
					2 DAMAGED INSIDE	2 MODIFIED LEVEL ALTERED	2 FRONT	2 CUST. TINT
						3 RUST/PRIMER 5 CUSTOM PAINT VINYL TOP	3 REAR	3 CURTAINS
						4 LEFT	4 LEFT	5 REAR

NAME, ADDRESS, DOB, IF KNOWN; NAME, BKG. NO., CHARGE, IF ARRESTED.

S-1	PERSONAL ODDITIES (UNUSUAL FEATURES, SCARS, TATTOOS, ETC.)						WEAPON (VERBAL THREATS, BODILY FORCE, SIMULATED GUN, ETC. IF KNIFE OR GUN, DESCRIBE FULLY)
S-2							

INVOLVED PERSONS	W-WITNESS	R-PERSON RPTD.	S-PERSON SECURING (459)	D-PERSON DISCOVERING (459)	P-PARENT
R					

8-							
NARRATIVE 1) LIST ADD'L SUSPS., VICTS, & INVOLVED PERSONS. 2) RECONSTRUCT OCCURRENCE, INCL. ALL ELEMENTS OF CORPUS DELECTI. 3) IF NOT USING CVID, CONTINUATION FORM, DESCRIBE EVIDENCE (INCLUDE PRINTS, STATE LOCATION FOUND AND BY WHOM, GIVE DISPOSITION). 4) SUMMARIZE OTHER DETAILS, INCL. WHEN & WHERE PERSONS WITH NO PHONE CAN BE LOCATED. 5) INDICATE TYPE OF TRANSLATOR NEEDED FOR ANY INVOLVED PERSON. 6) LIST ITEMS MISSING.							
ITEM #	QUAN.	ARTICLE	SERIAL #	BRAND	MODEL #	MISC. (COLOR, SIZE, INSCRIPTIONS, CALIBER, ETC.)	DOLLAR VALUE

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ON 11/8/89, 1915 HOURS, UNKNOWN SUSP(S) PLACED AND EXPLODED AN I.E.D. AT FIRE STATION #41 WHICH IS UNDER CONSTRUCTION. THE EXPLOSION CAUSED MINOR DAMAGE BUT NO INJURIES. THERE ARE NO SUSPECTS OR MOTIVE AT THIS

TIME.

VICTIM
INDEMNIFICATION
INFORMATION
(IF APPLICABLE)APPROVAL
AND
REVIEWIS ANY OF THE VICTIM'S PROPERTY MARKED WITH AN OWNER
APPLIED IDENTIFICATION NUMBER?IF "YES", EXPLAIN IN NARRATIVE. YES NO

DETECTIVE SUPERVISOR Viewing

SERIAL NO.

Category

Los Angeles Police Department
PROPERTY REPORT

Page 1 of 1 10.01.0 (3/83)

IF EVIDENCE CONT. COMPLETE SHADE AS ONLY, IF NOT EVID. CONT. COMPLETE ENTIRE FORM.

<input type="checkbox"/> A.	<input type="checkbox"/> B.	<input type="checkbox"/> C.	<input type="checkbox"/> D.	TOTAL	EVID.	NON-EVID.	DR
<input type="checkbox"/> NARC.	<input type="checkbox"/> FIREARM	<input type="checkbox"/> SEARCH	<input type="checkbox"/> WARR.	CURR. BKD.	29	ONLY 1 CATEGORY PER REPORT	89-06 43253

DATE AND TIME THIS REPORT 11-8-89 1945	DATE PROPERTY BKD. 11-8-89	IF RELATED TO PREVIOUSLY BOOKED EVIDENCE, ORIG. EVID. BKD. TO (IN THIS CASE, COMPLETE ENTIRE REPORT)			DATE ORIGINAL EVIDENCE BKD.		
RESIDENCE ADDRESS 1439 N. Gardner Street		ARRESTEE <input type="checkbox"/> EVID. CONT. OF ARREST REPORT			CHARGE BKD. ON BKG. #		
RESIDENCE ADDRESS (BUS. ADDRESS IF VICT. IS BUSINESS) LAPD-CCS		VICTIM <input type="checkbox"/> EVID. CONT. OF PIR. (IF NO ARRESTEE) City of Los Angeles - Fire Department.			R- b-485-6095		
RESIDENCE ADDRESS AREA OR CITY, & DATE CRIME OCCUR. HWD 11-8-89		OWNER OR IF UNKNOWN <input checked="" type="checkbox"/> FINDER Det.			R- b-485-2962		
IS THIS STOLEN PROPERTY? Unk		DEPT. EMPLOYEE # BOOKED TO Det.			SERIAL NO.	DIVISION	IF FIREARM, CRT CHECKS: AFS NCIC YES NO
PROBABLE CRIME Bombing		DATE & TIME PROP. TAKEN INTO POLICE CUSTODY - LOCATION 11-8-89 1439 N. Gardner Street			RD. OR CITY IF OUTSIDE 643		
INVESTIGATIVE UNIT CCS		NOTIFICATIONS - PERSONS & UNITS CCS			CONNECTING REPORTS - TYPE & DR Analyzed Evid Rpt Same DR#		

Use Of Evidence Continuation: Use only with Arrest Report or, if no Arrest Report, with PIR. Do not use if evidence is related to previously booked evidence. To book evidence, staple this page on top of Arrest face sheet (or PIR face sheet, if no arrest) and forward with evidence.

1. CIRCUMSTANCES (WHERE FOUND, BY WHOM, HOW MARKED, ETC.) EXPLAIN IF 10.10 NOT ISSUED, GIVE RESULTS OF CRT CHECKS ON FIREARMS.
2. ITEMIZE PROPERTY (LIST NARCOTICS FIRST, THEN MONEY, FIREARMS, PROPERTY WITH SERIAL NUMBERS, AND OTHER PROPERTY. IF RELATED TO PREVIOUSLY BKD. EVIDENCE, START WITH NEXT SEQUENTIAL ITEM NUMBER.)

ITEM NO.	QUAN.	ARTICLE	SERIAL NO/TYPE TEST OF DRUG	BRAND/DRUG WEIGHT UNITS	MODEL NO/DRUG TEST RESULT	MISC. - COLOR, SIZE, INSCRIPTION; CALIBER, ETC. IF MULT. ARREST, INCL NAME/BKG. # FROM WHOM TAKEN
----------	-------	---------	-----------------------------	-------------------------	---------------------------	---

The below property was taken into custody at above date, time and location

by Officer [REDACTED] subsequent to the investigation of an improvised explosive device at that location.

1 1 Galvanized pipe bomb debris approximately 6" x 1 1/2" with side prime hole and two attached broken end caps.

2 1 End cap piece -- -- -- Approximately 1/2 circle flat galvanized pipe.

3 1 End cap piece -- -- -- Approx 1/2 circle - flat galvanized pipe.

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The below property was recovered at the above location on November 9, 1989 by Detective [REDACTED] (CCS) and given to [REDACTED] same date at Bomb Squad office..

NARCOTICS
(NARC. DIV.)

FIREARM (HWD & R.
CRIME PROP. IT SPVNL)

EXTRA COPY TO:

Preliminary Drug Test	SUPERVISOR/INVESTIGATING OFFICER TESTING			SERIAL NO.	WITNESSING OFFICER		SERIAL NO.
Search Warrant Info	DATE	ISSUED BY JUDGE	COURT NO.	ITEMS SEIZED PURSUANT TO WARRANT <input type="checkbox"/> ALL ITEMS <input type="checkbox"/> ONLY ITEM NOS.:			
SUPERVISOR APPROVING	SERIAL NO.	10.10 ISSUED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	REPORTING EMPLOYEE(S)	SERIAL NO. 1	DIV.	DETAIL	PERSON REPORTING (SIGNATURE)
DATE & TIME REPRODUCED	DIVISION	CLERK		SID	Bomb Sqd	x OFCR.	

LOS ANGELES POLICE DEPARTMENT
FOLLOW-UP INVESTIGATION

MULTIPLE

DATE THIS REPORT	DATE ORIGINAL RPT.	SPECIFIC TYPE ORIG. RPT. (ADW, TTV, EVID., ARREST/BURG., ETC.)	R. D.	PCD	DR
12/28/89	11/08/89	BOMBING	643		
VICTIM/BOOKED TO/ARRESTEE (AS ON ORIGINAL REPORT)			IF RECLASSIFYING TO HOMICIDE		
CITY OF L. A., FIRE STATION #41			SEX	DESCENT	AGE
CASE STATUS 1 CLEARED BY ARREST			BKG. NO. (SUPPL. TO ARREST)		
2 CLEARED OTHER			WORK FOLDER		
3 REPORT UNFOUNDED			PERIOD ORIG. RPT. INDEX NO.		
4 INVESTIGATION CONTINUED					

Use this section only to add or correct info - do not repeat info from previous reports. Exception: Complete entire suspect info if making final disposition.													
DATE OCCURRED	CHANGE TO-ON OR BTWN MO DAY YEAR TIME				&	MO	DAY	YEAR	TIME	TYPE ORIG RPT - CHG. TO	RD-CHG. TO	DR CHANGE TO	INV. DIV. CHANGE TO
PROPERTY VALUE:	ADDITIONAL LOSS		PARTIAL RECOVERY		TOTAL RECOVERY		DELETE FROM ORIG. RPT.		DESCRIPTION CHANGE	ITEM NOS. RECOVERED/DELETED (ON MULT. RPTS. USE NARRATIVE)			
S-1	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)				
									ACTION TAKEN				
2	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)				
									ACTION TAKEN				
3	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)				
									ACTION TAKEN				

NARRATIVE (USE BELOW COLUMNS FOR MULTIPLE REPORTS ONLY)

P/T/D	MULTIPLE RPT: PCD & DR NOS.	TYPE OF CRIME	RD	VICTIM'S NAME	DATE ORIG. RPT.	VALUE
-------	-----------------------------	---------------	----	---------------	-----------------	-------

RESUME:

On November 8, 1989, 1915 hours, unknown suspect or suspects placed and caused an improvised explosive device to detonate at the construction site of Fire Station #41.

INVESTIGATION:

Bomb Squad Officers Lt. [REDACTED] conducted a post blast investigation at the scene. After their investigation was completed, Detectives [REDACTED] also examined the seat of the explosion. Bomb Squad officers were unable to find additional explosive devices.

The I.E.D. was placed on a concrete floor approximately in the center of the structure. At this time the structure had no roof or windows. There were walls and openings for doors. At the point of detonation there was minimal damage to the concrete flooring and chipping of several block walls. Due to the open space of the structure, the gases escaped without causing appreciable damage. There were no injuries reported. The building was unoccupied due to its stage of construction at the time of the detonation.

DAMAGE:

There was minimal damage to the concrete flooring. (Charring.) The walls were chipped by fragmentation. The chipping caused minor damage.

DEVICE:

C-Analyzed evidence report prepared by the Bomb Squad.

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WAS PROPERTY BOOKED IN CONJUNCTION WITH THIS REPORT OR INCIDENT?	<input type="checkbox"/> NO	<input type="checkbox"/> YES IF YES, HAS 10.6 BEEN COMPLETED?	<input type="checkbox"/> NO	<input type="checkbox"/> YES
SI [REDACTED]				DIVISION
DATE & TIME REPRODUCED	DIVISION	CLERK	DSD/CCS	
LAPD 03.14.0 (R. 3/85) FOLLOW-UP INVESTIGATION				

CONTINUATION SHEET

Los Angeles Police Department

PAGE NO. 2 TYPE OF REPORT BOMBING

80

DR NO. 89-06 43253

ITEM NO.	QUAN.	ARTICLE	SERIAL NO.	BRAND	MODEL NO.	MISC. DESCRIPTION (EG. COLOR, SIZE, INSCRIPTIONS, CALIBER, REVOLVER, ETC)	DOLLAR VALUE

EVIDENCE:

Bomb Squad officers completed a post blast diagram. Evidence was collected and booked by Bomb Squad officers at Northeast Division.

Photos were taken of the crime scene and booked under the above DR#.

INJURIES:

None.

SUSPECTS:

None.

WITNESSES:

1. [REDACTED] DR# 89-06 43253

"I am the superintendent for the construction site for the new L.A.F.D. Fire Station #41 which is on the north side of this apartment building.

On November 8, 1989, approximately 7:00 p.m., I heard a loud explosion. I went outside and heard other neighbors talk about the noise and seeing smoke from my construction site. I checked the site for the cause before the Fire Department arrived. I understand the firemen found an exploded pipe bomb.

I have had no labor problems, vandalism, or complaints about the work site. I can think of no reason for someone to do this. The building has been under construction since June (1989). We have no security and there will be a chain link fence installed in the future.

I am employed by the Badger Construction Company, Riverside."

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b7C

2. [REDACTED] DR# 89-06 43253

Witness [REDACTED] was unable to make any additional statement due to his location at the time of detonation.

3. [REDACTED] DR# 89-06 43253

Witness [REDACTED] did not observe any additional information.

4. [REDACTED] DR# 89-06 43253

Witness [REDACTED] was unable to supply any additional information.

5. [REDACTED] DR# 89-06 43253

Witness [REDACTED] was unable to supply additional information.

LOS ANGELES POLICE DEPARTMENT

EXPLOSIVE ANALYZED EVIDENCE REPORT

DR 89-06 43253

DATE REQUESTED 11-8-89	ANALYST ASSIGNED [redacted]	REQUESTED BY [redacted]	EXT. 5-2962	AREA/DIVISION Hollywood
---------------------------	--------------------------------	----------------------------	----------------	----------------------------

ANALYSIS REQUESTED: POST BLAST AND PIPE BOMB DEBRIS

PROPERTY BOOKED TO: CITY OF LOS ANGELES - FIRE DEPARTMENT	DATE BOOKED 11-9-89
DR #	

CORONER'S EVIDENCE-NAME AND CASE NO.

AN EXAMINATION AND ANALYSIS WAS MADE OF THE BELOW LISTED EVIDENCE AND THE UNDERSIGNED IS PREPARED TO TESTIFY THAT HE IS A EXPLOSIVE EXPERT EMPLOYED BY THE LOS ANGELES POLICE DEPARTMENT; THAT HE DID ON THE 8TH DAY OF NOVEMBER, 1989, OBTAIN FROM 1439 N. GARDNER STREET EVIDENCE CONSISTING OF: PIPE BOMB DEBRIS

NOTIFICATION: On November 8, 1989 at approximately 1945 hours, Officers

[redacted] from the

Scientific Investigation Division Bomb Squad responded to 1439 N. Gardner Street in Hollywood Division. Officers had received information that a bomb had exploded inside a partially completed Los Angeles City Fire Department fire station.

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OBSERVATIONS: Upon arrival officers were met by Detective [redacted] from the Criminal Conspiracy Section of Detective Support Division who directed them to the interior of the partially constructed fire station.

- continued -

Disposition of Evidence

MAGAZINE #1 [redacted]

MAGAZINE #2 [redacted]

PROPERTY DIVISION N/E

Date completed

11-29-89

Supervisor

Analyst & Serial Number (signature)

Oct

ANALYZED EVIDENCE REPORT

DR 89-06 43253

PAGE 2 OF 4

OBSERVATIONS (continued):

Officers then observed a galvanized pipe nipple approximately 6" long x 1 1/2 (I/D) with damaged galvanized pipe end caps attached at both ends laying on the cement floor in the main squad area of the building, approximately 28 feet north of the south wall and approximately 61 feet west of the east (street facing) wall.

Officers also observed two scorch marks on the cement floor approximately 1 1/2" in diameter each which were approximately 8" apart. The southerly scorch mark was located approximately .30 feet north of the south wall and approximately 50 feet west of the east wall. The scorches appeared to be circular carbonaceous residues deposited into the concrete surface. The concrete floor was generally covered with dirt and sawdust throughout the interior of the structure. However, officers observed that the floor area surrounding the carbonaceous deposits had clean areas that radiated outwardly from each of those deposits in a northerly and southerly direction respectively. The floor dirt appeared to have been blown away rather than swept away as with a broom. This location was determined to be the seat of the explosion.

Following the direction of those two dirt blast patterns officers discovered two impact marks on opposite cement block walls almost directly north and south of the carbonaceous deposits on the floor. The impact points and deposits were in a direct line with each other.

Impact #1 was approximately eleven feet south of the seat of the explosion. It was approximately 18 inches up from the floor.

Impact #2 was approximately 30 feet north of the seat of the explosion. It was approximately 12" up from the floor. Both impact points were approximately 50 feet west of the east wall of the structure.

Officers located an end cap fragment (approximately one half of the closed end) near the northern impact point. It was approximately 51 feet north of the structure's south wall and approximately 54 feet west of the east wall.

No additional end cap fragments were located during the initial crime scene search. However, on November 9, 1989 Detective [REDACTED] provided Officer [REDACTED] with a second galvanized pipe end cap fragment that had been discovered by construction workers on November 9, 1989, when a stack of lumber located approximately 20 feet West and 5 feet north of the seat of the explosion was moved.

CRIME SCENE EXAMINATION:

The crime scene was confined to the interior area of the structure. Pertinent evidence contained there was visually examined and photographed prior to evidence collection.

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ANALYZED EVIDENCE REPORT

DR 89-06 43253

PAGE 3 OF 4

SEAT OF THE EXPLOSION:

The explosion originated on the cement floor of the inside the structure. Its location was determined by a combination of factors including carbonaceous deposits on the floor, blast wave patterns in surrounding dirt on the floor, fragment impact locations and fragment locations.

The seat of the explosion was determined to be approximately 50 feet west of the east exterior wall of the structure and approximately 30 feet north of the south exterior wall.

EVIDENCE COLLECTED:

The following items were collected from the crime scene.

- Item #1: Galvanized pipe nipple threaded at both ends with partial end caps attached at both ends. Approximately 6" long x 1 1/2" (I/D) diameter.
- Item #2: Galvanized end cap fragment consisting of approximately one half of the closed end of an end cap. This item was recovered approximately 51 feet north of the south wall and approximately 54 feet west of the east wall.
- Item #3: Galvanized end cap fragment consisting of approximately one half of the closed end of an end cap. Received by Officer [redacted] from Detective [redacted]

ANALYSIS:

The above described evidence was visually and microscopically examined with the following results:

CONTAINER:

b6
b7C
b7F

FILLER:

The debris was submitted to the SID Laboratory for chemical analysis.

ANALYZED EVIDENCE REPORT

DR 89-06 43253

PAGE 4 OF 4

PRIMING:

b7F

FUSING:

No evidence of a fuse trial was observed. No determination was made as to what type of fuse material was used although the absence of electrical wire and/or components at the scene suggests that time delay pyrotechnic fuse may have been used to initiate the explosion.

E107- MASTER EVENT MASTER INQUIRY
EVENT NUMBER 020625324 PURGE CODE 0 REPORTING DIST 0642 STAT CODE 0909
REPORT STATUS A REPORT DATE 061592 DEPARTMENT 42 REPORT OFFICER ID
DATE OCCURRED: FROM 061492 TO 061592 TIME OCCURRED: FROM 2300 TO 0700
LOC: ST # 1420 ST DIR N STREET NAME ST TYPE AV
CROSS ST DIR CROSS STREET
CITY NAME LOS ANGELES
VEHICLE LICENSE NUMBERS 1: CA 2: 3:

VEH DIST FEAT (1):
ASSIGNMENTS 1: 2: ASSIGNED OFFICER ID'S 1: 2:
CROSS REF EVENT NUMBER REPORT OFFICER LAST NAME
KIND CODE LAST NAME FIRST NAME MIDDLE SUF SEX RACE DOB

OUTPUT MSG 326, FROM JD30 FOR CCS1 03/23/93 12:56

b6
b7c

E107- MASTER EVENT MASTER INQUIRY
EVENT NUMBER 922290013 PURGE CODE 1 REPORTING DIST 1325 STAT CODE 0403
REPORT STATUS 1 REPORT DATE 052192 DEPARTMENT 00 REPORT OFFICER ID
DATE OCCURRED: FROM 052192 TO TIME OCCURRED: FROM 1430 TO
LOC: ST # 6600 ST DIR STREET NAME DEL AMO ST TYPE BL
CROSS ST DIR CROSS STREET CROSS ST TYPE
CITY NAME LAKWOOD
VEHICLE LICENSE NUMBERS 1: CA 2: CA 3:

VEH DIST FEAT (1):
ASSIGNMENTS 1: 1301 2: ASSIGNED OFFICER ID'S 1: 075061 2:
CROSS REF EVENT NUMBER REPORT OFFICER LAST NAME
KIND CODE LAST NAME FIRST NAME MIDDLE SUF SEX RACE DOB.
E LOS ALAMITOS POLICE DEPT

OUTPUT MSG 327, FROM JD30 FOR CCS1 03/23/93 12:56

EI07- MASTER EVENT MASTER INQUIRY
EVENT NUMBER 020630476 PURGE CODE 0 REPORTING DIST 0645 STAT CODE 1400
REPORT STATUS A REPORT DATE 072192 DEPARTMENT 42 REPORT OFFICER ID
DATE OCCURRED: FROM 072192 TO 072192 TIME OCCURRED: FROM 0159 TO
LOG: ST # 7070 ST DIR STREET NAME SUNSET ST TYPE BL
CROSS ST DIR CROSS STREET CROSS ST TYPE
CITY NAME LOS ANGELES
VEHICLE LICENSE NUMBERS 1: 2: 3:
VEH DIST FEAT (1):
ASSIGNMENTS 1: 2: ASSIGNED OFFICER ID'S 1: 2:
CROSS REF EVENT NUMBER
KIND CODE LAST NAME FIRST NAME MIDDLE SUF SEX RACE DOB

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b7c

OUTPUT MSG 243, FROM JD40 FOR CCS1 03/23/93 10:48

EI07- MASTER EVENT MASTER INQUIRY
EVENT NUMBER 010650948 PURGE CODE 5 REPORTING DIST 0631 STAT CODE 3200
REPORT STATUS A REPORT DATE 080191 DEPARTMENT 42 REPORT OFFICER ID
DATE OCCURRED: FROM 032690 TO 092490 TIME OCCURRED: FROM 0341 TO 1618
LOC: ST # 999 ST DIR N STREET NAME ST TYPE BL
CROSS ST DIR CROSS STREET CROSS ST TYPE
CITY NAME LOS ANGELES
VEHICLE LICENSE NUMBERS 1: 2: 3:

b6
b7c

VEH DIST FEAT (1):

ASSIGNMENTS 1: 2: ASSIGNED OFFICER ID'S 1: 2:
CROSS REF EVENT NUMBER REPORT OFFICER LAST NAME
KIND CODE LAST NAME FIRST NAME MIDDLE SUF SEX RACE DOB

OUTPUT MSG 244, FROM JD40 FOR CCS1 03/23/93 10:48

APRIST

RECEIVED

SEARCHED

SERIALIZED

INDEXED

FILED

SOURCE OF ACTIVITY

IN IT 6145 (CONT'D). I VOLUNTEERED TO HELP AT
BATERI CAFE, BATTERY INVEST, AT TEED HALL, 12
(PICS. #1 & 2 TO FOLLOW)

DESCRIPTION

ON APRIL 11, 1971, I WAS INVITED BY A FRIEND
PETERSON, VICTIM, TONIGHT I WENT TO THE
MEATCLUB WITH SOME FRIENDS. WHILE IN THE CLUB
I MET AN X-BUSINESS PARTNER (C-7) OF PETERSON. WE
BEGAN TO GET INTO A VERBAL ARGUMENT OVER
A BUSINESS DEAL THAT HAD GONE BAD. HE THREW A
FIST AT ME. SEVERAL MINUTES LATER, HAD NO
NO REASON, HE WALKED UP BEHIND ME AND STRUCK
ME IN THE FACE WITH HIS CLOSED FIST. HE THEN
GRABBED MY HAIR, AND PULLED IT UNTIL I FELL
INTO THE FLOOR WHILE ON THE FLOOR HE PULLED
ME WITH HIS LEGS SEVERAL TIMES. IN THIS POSITION
HE THREW THE SECURITY GUARD, WHENCE HE DROPPED
AND PULLED HIM OFF OF ME. I LEFT THE CLUB
AND WENT TO A PHONE TO CALL POLICE.

MY PARTNER AND I OBEDIENTLY SAW THE GUARD
TO THE VICTIM. KICKING THE FACE FIRMLY. VICTIM DID NOT
REQUEST M.T. STATING HE WOULD GO TO THE
MEATCLUB OR THE INVEST. I TALKED TO
M.T. FOR LITTLE TIME. I TALKED TO THE GUARD
WHICH WAS SEVERAL INVESTIGATORS. THE GUARD
TOLD ME THAT HE WOULD CALL THE POLICE
THE NEXT DAY.

WHILE I WAS TALKING TO THE GUARD, M.T. WALKED
EXCUSED OUT THE DOOR.

b6
b7c

7/15		BATTERY		3158977		92065473	
ITEM NO.	DESCRIPTION	SERIAL NO.	GRADE	MODEL NO.	WEIGHT	EXPIRATION DATE	EXPIRATION DATE

STATEMENT OF PRIVATE PERSON'S ARREST:

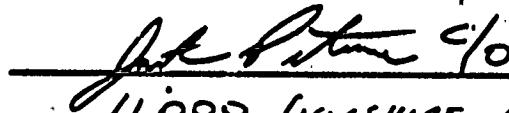
AS A PRIVATE PERSON, I, JUSTIN T. PETERSEN
 HAVE ARRESTED
 FOR VIOLATION OF SECTION 242 PC OF THE PENAL CODE, A PUBLIC
 OFFENDER COMMITTED IN MY PRESENCE AT 7070 HOLLYWOOD BLVD
 I HEREBY DEMAND THAT POLICE OFFICERS

	SERIAL		SERIAL
--	--	--	--

TRANSPORT THE SUBJECT TO THE STATION.

I UNDERSTAND THAT I HAVE ARRESTED THIS PERSON AND I WISH TO PROSECUTE.
 THE OFFICERS ARE ONLY TRANSPORTING AND COMPLETING THE NECESSARY PAPERS.

SIGNATURE



ADDRESS

11000 WILCEHISE AVE. #1700

PHONE

(213) 751-6852
(310) 477-6565 ext 2394

SEX

M DECEIT: W DOB: 7/28/60
b6
b7c

DISCLOSURE STATEMENT

Los Angeles Police Department

Case No. Type of Report

45

ARREST.

Document No.

3158977

Entd.

9206
30476

1. All currently existing reports (except personnel investigations) connected to this investigation, including crime, property, arrest, schematic, refusal, follow-up, etc., including those of other suspects, are cross-referenced in this report.
2. The names, assignments, serial numbers, and work phone numbers of all officers who saw, heard or otherwise perceived (1) any events leading to or involving the commission of the crime; (2) any arrest and/or search made in connection with the crime; (3) any statement of a suspect or witness; (4) any test performed at the scene (e.g., FST, scientific); (5) any intoxication or impairment of a suspect or witness; and/or (6) any facts necessary for probable cause for a warrant, search, or detention, are listed in the report. Also listed in the report are the names, business and/or home addresses, business and/or home phone numbers of all civilian witnesses (except confidential informants) who provided information (whether incriminating or exonerating) as to any of the above listed categories.
3. All known oral statements made by any suspect or witness concerning the offense are included in a referenced report.
4. Copies of all original officer notes relating to statements of suspects or witnesses are attached.
5. All items of evidence seized, photographs (except booking), audio and video tape recordings (except Communications Division records) are mentioned in one of the referenced reports.
6. If any of the above items have been lost or destroyed, this fact is mentioned in a referenced report.
7. Any known fact which might indicate innocence of this crime or which might be substantial material evidence favorable to any suspect or which might damage the believability of a prosecution witness is mentioned in a referenced report.

All of the above statements are true.

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b7C

SIGNATURE	SERIAL #	DIVISION OF ASSIGNMENT	DATE
		Hwd A45	7-21-92
		Hwd A45	7-21-92

0-6 0-3 0

LOS ANGELES POLICE DEPARTMENT
FOLLOW-UP INVESTIGATION MULTIPLE

DATE THIS REPORT	DATE ORIGINAL RPT.	SPECIFIC TYPE ORIG. RPT. (ADW, TPD, EVID., ARREST/BURG., ETC.)				R. D.	PCD	DR	91-06-50948	
11-20-91	8/1/91	COMPUTER CRIMES				631				
		FINAL REPORT	IF RECLASSIFYING TO HOMICIDE	SEX	DESENT	AGE	BKG. NO. (SUPPL. TO ARREST)	WORK FOLDER	PERIOD ORIG. RPT.	INDEX NO.
			VICTIM							

CASE STATUS: 1 CLEARED BY ARREST 2 CLEARED OTHER 3 REPORT UNFOUNDED 4 INVESTIGATION CONTINUED

Use this section only to add or correct info - do not repeat info from previous reports. Exception: Complete entire suspect info if making final disposition.

INV. DIV.
CHANGE TO

DATE OCCURRED	CHANGE TO: ON OR BTWN MO DAY YEAR	TIME	MO	DAY	YEAR	TIME	TYPE ORIG RPT. + CHG. TO	RD+CHG. TO	DR CHANGE TO

PROPERTY VALUE	ADDITIONAL LOSS	PARTIAL RECOVERY	TOTAL RECOVERY	DELETE FROM ORIG. RPT.	DESCRIPTION CHANGE	ITEM NOS. RECOVERED/DELETED (ON MULT. RPTs. USE NARRATIVE)

SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)	
								ACTION TAKEN	
SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)	
								ACTION TAKEN	
SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)	
								ACTION TAKEN	

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b7D

NARRATIVE (USE BELOW COLUMNS FOR MULTIPLE REPORTS ONLY)

P/T/D MULTIPLE RPT. PCD & DR NOS. TYPE OF CRIME RD VICTIM'S NAME DATE ORIG. RPT. VALUE

A copy of this report could not be located in Hollywood Records Detectives.

Report was taken by Division 6

581 KUV 2-1 1991

PEVENTMOD DR: YR 91 AREA 06 SEQ 50948 AICC 3200 PURGE 5 CONF 0 RPT STAT A
 VICT [REDACTED] BUSINESS CONN CC 661
 LOC 999 N DOHENY BL / RD 0631 NOTE
 DATE 032690 / 092490 TIME 0341 / 1618 RPTD 080191 RCVD: RD DATE
 PROPERTY VALUE STOLEN RECOVERED VERIFY ACT
 PREM 203 ENTRY POINT METHOD MO WEAPON NO. OF SUSP
 VEH PARTY VVR VMA VMO VST VCO LIC LIS
 INTERIOR COLOR INTERIOR EXTERIOR BODY WINDOWS
 DFCR 17609 DIV 06 OPER L9284 AIU 06 INJ/DEATH: CAUSE REASON
 NARR

OTH VEH CASE STAT IC U.O. N MO
 MM WARNING MM ONLY.

DO NOT USE THIS FORMAT IF YOU ARE ATTEMPTING TO CONNECT RELATED REPORTS. GO BACK TO THE PACMIS MENU AND SELECT 2 OR 3 TO CONNECT RELATED REPORT (PCADD OR XTRAN).

WAS PROPERTY BOOKED IN CONJUNCTION		IF YES, HAS IC 0 BEEN COMPLETED?		NO	YES
		REPORTING OFFICER(S)		SERIAL NO.	DIVISION
DATE & TIME REPRODUCED		DIVISION	CLERK		
11-20-91		6	S		

(213) 894-0336

b6
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"UNSOLVED MYSTERIES" COMPUTER HACKER INDICTED ON CHARGES
OF RIGGING RADIO STATION GIVEAWAYS, COMPROMISING
LAW ENFORCEMENT INVESTIGATIONS AND WIRETAPS,
WIRETAPPING PUBLIC AND OBSTRUCTION OF JUSTICE

United States Attorney Terree A. Bowers announced today that Kevin Lee Poulsen, 27, of Los Angeles and San Francisco, was indicted by a grand jury for hacking into computer systems in order to rig promotional radio station contests and to compromise law enforcement investigations. Poulsen was also charged with wiretapping other individuals and with obstructing justice by arranging to have his computers moved by an accomplice before they could be seized by agents of the F.B.I.

According to Assistant United States Attorney, David J. Schindler, who is prosecuting the case, the nineteen count indictment charges various offenses including computer fraud, interception of wire communications, mail fraud, money laundering, and obstruction of justice. Poulsen was previously featured on an episode of "Unsolved Mysteries" as a result of skipping bail in connection with a separate San Francisco indictment which charged him with, among other things, illegally retaining top secret defense department documents.

The instant indictment charges Poulsen with hacking into various computer systems during the two year period in which he managed to elude capture. Through the use of computers, Poulsen and his coconspirators succeeded in rigging promotional radio giveaway contests conducted by radio stations KIIS-FM, KRTH-FM, and KPWR-FM by seizing control of the incoming phone lines leading to the radio stations. During the two year period, Poulsen and his coconspirators fraudulently won two Porsche automobiles given away by KIIS-FM, \$20,000 in cash awarded by KPWR-FM, and at least two trips to Hawaii and \$2,000 in cash awarded by KRTH-FM. The indictment charges Poulsen with using aliases and phony identification in order to retrieve and sell one of the Porsches and, later, to launder the proceeds of the sale.

Poulsen is also charged with using his computer skills to:

- (a) locate and identify undercover businesses used by the F.B.I.;
- (b) locate and identify court ordered wiretaps

1 See related announcements pertaining to ongoing F.B.I. computer fraud investigation.

1 - SAC Parsons	1 - SSA [redacted]
1 - ASAC Adamski	1 - Media [redacted]
1 - ASAC Parker	1 - SA [redacted]
1 - ASAC Thornton	1 - 139C-LA-127588
1 - ASAC Iden	
1 - ASAC Curran	

b6
b7C

installed and monitored by the F.B.I.; and (c) access Department of Motor Vehicle computers using access codes assigned to criminal investigators of the Internal Revenue Service. Poulsen is further charged with setting up his own wiretaps and taping private conversations. Finally, Poulsen is charged with obstructing justice by making a telephone call immediately following his capture in order to alert an accomplice to hide the computers used to conduct the illicit activity.

If convicted on all charges, Poulsen faces a maximum of 100 years imprisonment and \$4.75 million dollars in fines.

(213) 894-0336

b6
b7C

COMPUTER HACKERS PLEAD GUILTY TO CHARGES OF RIGGING
RADIO STATION CONTESTS, INTERCEPTING TELEPHONE LINES,
AND OBSTRUCTION OF JUSTICE AS PART OF ONGOING
PROBE INTO COMPUTER HACKING

United States Attorney Terree A. Bowers announced today that Ronald Mark Austin, 29, of Los Angeles and Justin Tanner Petersen, 32, also of Los Angeles, have pleaded guilty to various charges including computer fraud for their role in a sophisticated computer hacking scheme through which the defendants and others succeeded in rigging giveaway contests conducted by various radio stations, including KIIS-FM, KRTH-FM, and KPWR-FM.

According to Assistant United States Attorney, David J. Schindler, who is prosecuting the case, the defendants used computers to seize the incoming telephone lines leading to the various radio stations thereby ensuring that they would be the correct number caller to win prizes which were supposed to be awarded at random by the stations.

Austin pleaded guilty to five counts, including computer fraud, intercepting wire communications, conspiracy, and obstruction of justice. As part of his guilty plea, Austin admitted his role in using computers to fraudulently obtain a Porsche automobile from radio station KIIS-FM along with a trip to Hawaii and \$1,000 in cash from radio station KRTH-FM. Austin also admitted his role in removing computer equipment belonging to Kevin Lee Poulsen in order to prevent its seizure by F.B.I. agents who had managed to capture Poulsen.¹

Austin faces a maximum of 25 years imprisonment and \$1,250,000 in fines. Sentencing is currently set for June 14, 1993 before the Honorable Richard A. Gadbois.

Petersen pleaded guilty to six counts including, conspiracy, computer fraud, intercepting wire communications, transporting a stolen vehicle across state lines, and wrongfully accessing TRW credit files. As part of his guilty plea, Petersen admitted his role in using computers to seize the incoming telephone lines leading to radio station KPWR-FM in order to rig a \$10,000 giveaway contest conducted by the radio station. Petersen further admitted using computers to hack into TRW and

¹ See related announcement pertaining to indictment of Kevin Lee Poulsen.

Telenet computer systems. Finally, Petersen detailed his participation with Poulsen, including how the two physically broke into various buildings housing Pacific Bell computers in order to obtain manuals and passwords relating to Pacific Bell computer operating systems.

Petersen faces a maximum of 40 years imprisonment and \$1,500,000 in fines. Sentencing is currently set for ??, 1993 before the Honorable Stephen V. Wilson.

Austin and Petersen's guilty pleas come as part of an ongoing investigation into computer hacking and computer related crimes being conducted by the United States Attorney's Office and the Federal Bureau of Investigation. In addition to Austin and Petersen, other targets have agreed to plead guilty and cooperate in the investigation.

11

Los Angeles Times

F/CCT

SUNDAY, JULY 31, 1994

Billey
COUNTY NEWS, EDITORIALS, WEATHERBy JOHN JOHNSON
TIMES STAFF WRITER

First there was the Condor, then Dark Dante. The latest computer hacker to hit the cyberspace most wanted list is Agent Steal, a slender, good-looking rogue partial to Porsches and BMWs who bragged that he worked undercover for the FBI catching other hackers.

Now Agent Steal, whose real name is Justin Tanner Petersen, is on the run from the very agency he told friends was paying his rent and flying him to computer conferences to spy on other hackers.

Petersen, 34, disappeared Oct. 18 after admitting to federal prosecutors that he had been committing further crimes during the time when he was apparently working with the government "in the investigation of other persons," according to federal court records.

Ironically, by running he has consigned himself to the same secretive life as Kevin Mitnick, the former North Hills man who is one of the nation's most

Digital Desperado Who Claims to Have Worked for the FBI Is Now Being Sought by the Agency

infamous hackers, and whom Petersen allegedly bragged of helping to set up for an FBI bust. Mitnick, who once took the name Condor in homage to a favorite movie character, has been hiding for almost two years to avoid prosecution for allegedly hacking into computers illegally and posing as a law enforcement officer.

Authorities say Petersen's list of hacks includes breaking into computers used by



Lewis MacAdams

Commentary

The Los Angeles River has the potential to become one of the basin's greatest recreational resources, a greenway through the heart of the region.

A NEW COURSE FOR LA RIVER

Member of the Los Angeles River Task Force

Poulsen. He is awaiting sentencing in connection with that case. Mitnick already spent three years in prison, the longest term in jail for any hacker in history.

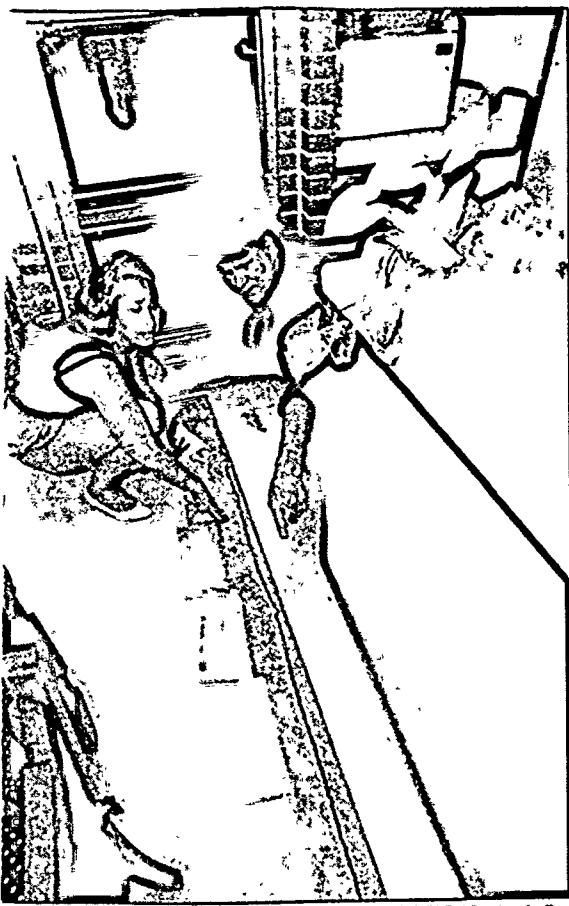
Petersen's case reveals the close-knit and ruggedly competitive world of computer hacking, where friends sought to outdo each other and then, when they were caught, sometimes turn on each other. Petersen boasted of his alleged exploits trapping his former colleagues.

Petersen gave an interview last year to an on-line publication called Phrack in which he claimed to have tapped the phone of a prostitute working for Heidi Fleiss. He also boasted openly of working with the FBI to bust Mitnick.

"When I went to work for the bureau I contacted him," Petersen said in the interview conducted by Mike Bowen. "He was still up to his old tricks, so we opened a case on him. . . . What a loser. Everyone thinks he is some great hacker. I outsmarted him and busted him."

How much of Petersen's story is true and how much is chest-thumping is at Please see HACKER, B4

HACKER: Suspect Sought by FBI



JOEL P. LUGAVERE / Los Angeles Times

George Kehrer, lawyer, general contractor and director of CARE, examines the cracked foundation of the home of Gabriela Segal.

Sorry the company's policyholders are unhappy. Like several other companies, 20th Century has said it has settled most quake-related claims.

Based in Northridge, CARE set its headquarters in April in an office suite donated by the Porter Ranch Center, a mini-mall at Tam-Avenue and Rinaldi Street that was also damaged by the quake.

Since then, the consumer group has attracted 2,000 volunteers and claims to represent at least another 2,000 victims of the January disaster.

We know that for every name on our mailing list, there's at least one person and probably more who come to one of our meetings or workshops," said Kehrer.

But I know we're making a difference by the number of thank-calls we're starting to get," Kehrer said.

People call us and say, "Thank my insurance company just ceded it will cost \$50,000 more to fix my house than they thought," he said. "Or, "Thank you, now they are going to cover asbestos removal. Thank you, the damage to my pool or fence or deck overed." It's very satisfying."

In average, the phone rings 25 to 30 times a day, said CARE office manager Marcy Contreras, the organization's only paid staffer. "One recent week she and several volunteers answered more than 1,000 calls after state Sen. Art Torres (Los Angeles) held a well-publicized meeting on quake-related insurance problems.

Many called to sign up for the workshops Kehrer and other

corporate donation last week from Hughes Aircraft Corp. "They asked us to make a list of things we needed," said Marcy, who told the company the organization needs tables, chairs, copiers and fax machines.

One volunteer also offered to donate printing services, until now one of the organization's biggest expenses. Kehrer, who has become an advocate for disaster victims since he lost his home in the 1991 Oakland Hills fire, understands what quake victims are going through. And since moving to Northridge—specifically to help quake victims—he has seen much of the devastation first-hand.

The Oakland Hills house he was sharing with a friend burned to the ground in 10 minutes. The pair is still battling with Allstate, their insurance carrier, two years later.

Early on in that battle, Kehrer heard about an Oakland-based consumer group, United Policyholders, and decided to attend a meeting.

"It changed my life," he said. "Suddenly, I discovered all these people who were dealing with the same problems, the same difficult recovery process I was."

Both a general contractor and a lawyer, Kehrer discovered it was the perfect combination of skills to make him an effective advocate for disaster victims.

Since the Oakland fire, he has worked as an unpaid volunteer with victims of Hurricane Andrew, last fall's brush fires in Laguna Beach and Malibu—and, now, the Northridge quake.

Continued from B1
 issue, for he is a shadowy person who didn't even use his own name during the years he spent on the fringes of the Los Angeles rock scene. Tall, good-looking, with long hair down the middle of his back, Eric Heinz, as he was known by everyone, shattered the computer nerd pocket protector stereotype. He frequented the Rainbow Bar and Grill on Sunset Boulevard, often with different women on his arm, and handed out cards identifying himself as a concert promoter and electronic surveillance specialist.

Riki Rachman, an MTV "vee-jay," said Petersen had a reputation for technical wizardry among the club crowd. "Everybody knew, if you screwed [him] over, he had the power to screw everything" with you, Rachman said.

But was he really working as a government informant at the same time to ensnare his hacker buddies for the bureau? The FBI refused to talk about Petersen directly. But J. Michael Gibbons, a bureau computer crime expert, expressed doubts. He advises against such relationships.

"It's not safe. Across the board, hackers cannot be trusted to work—they play both sides against the middle," he said. The agents "could have had him in the office. They probably debriefed him at length. Send him out to do things! I doubt it."

But Santa Monica attorney Richard Sherman, who is representing a friend of Mitnick's in another hacker case, has accused the FBI of not only actively using Petersen as an informant, but also of turning a blind eye to Petersen's alleged crimes during the time he was in their care. The crimes involve alleged credit card fraud.

In a May 19 letter to U.S. Atty. Gen. Janet Reno, Sherman said three agents in Los Angeles engaged "in a course of conduct which is illegal and contrary to bureau policy" in handling Petersen.

Jo Ann Farrington, deputy chief of the public integrity section, responded on July 18 that there were no grounds to begin a criminal investigation. Because Sherman had called "into question the ethical conduct of the named special agents," the letter was referred to the Office of Professional Responsibility for review.

"It is factually incorrect that we allowed Mr. Petersen to commit crimes," said Assistant U.S. Atty. David Schindler.

Those who knew Petersen best described him as a bright, verging-on-arrogant man who dressed well and sometimes walked with a cane, a result of a motorcycle accident six years ago that cost him a foot. He sometimes promoted after-hours clubs in the Valley and in Hollywood, according to a partner, Phillip Lamond.

One night the two men were talking about Petersen's adventures. "The difference between you and me," Lamond said Petersen

told him, "is I get a thrill from breaking the law."

In the Phrack interview, published on the Internet, an international network of computer networks with millions of users, Agent Steal bragged about breaking into Pacific Bell headquarters with Poulsen to obtain information about the phone company's investigation of his hacking.

He said they found "a lot of information regarding other investigations and how they do wiretaps."

"Very dangerous in the wrong hands," replied Bowen, according to a transcript of the interview.

"We are the wrong hands," Petersen said. Bowen said Petersen still calls him from time to time.

Petersen was arrested in Texas in 1991, where he lived briefly. Court records show that authorities searching his apartment found computer equipment, Pacific Bell manuals and five modems.

An FBI affidavit reveals fear that Petersen could have been eavesdropping on law enforcement investigations. The affidavit says Petersen admitted "conducting illegal telephone taps" and breaking into Pacific Bell's COSMOS computer program, which allows the user to check telephone numbers

'Across the board, hackers cannot be trusted to work—they play both sides against the middle.'

J. MICHAEL GIBBONS
FBI computer crime expert

and determine the location of telephone lines and circuits.

A grand jury in Texas returned an eight-count indictment against Petersen, accusing him of assuming false names, accessing a computer without authorization, possessing stolen mail and fraudulently obtaining and using credit cards.

The case was later transferred to California and sealed, out of concern for Petersen's safety, authorities said. The motion to seal, obtained by Sherman, states that Petersen, "acting in an undercover capacity, currently is cooperating with the United States in the investigation of other persons in California."

Petersen eventually pleaded guilty to six counts, including rigging a radio station contest with a \$20,000 prize. He faced a sentence of up to 40 years in jail and a \$1.5-million fine, but the sentencing was delayed several times while, Sherman believes, Petersen continued working for the government. Lamond said Petersen told him the FBI was paying him \$600 a month "to help them track down hackers."

Then on Oct. 18, 1993, 15 months after entering his first guilty plea, Petersen was confronted outside

federal court by Schindler, who asked if he had been committing any crimes while on bail. Petersen said he had, according to Schindler. Petersen met briefly with his attorney, then took off.

"I've got a big problem and I'm splitting," a friend said he told him the same day.

Attempts to reach Petersen were unsuccessful and his attorney, Morton Boren, said he has "no knowledge of Justin committing any crimes."

Sherman also scores the government for allegedly allowing Petersen, while an informant, to utilize a Pacific Bell Telephone Co. computer called Switched Access Services, or SAS. Sherman said the computer allows operators to intercept telephone calls and place other calls, making it appear the calls originated from other phones.

Rich Motta, executive director of applications, reliability and support for Pacific Bell, said he would not "take a position one way or the other" on Sherman's allegations.

While declining to discuss Petersen's actions, Schindler acknowledged that in the Poulsen case, "we alleged and he pled guilty to the fact of using the SAS system. Among other things, they rigged radio station contests using SAS. It is a test technology they managed to hijack and use for criminal purposes. Once we became aware of it we took steps to correct it."

There are tantalizing hints at links between Mitnick and Petersen, despite their obvious differences in style. Mitnick was the classic computer jockey, overweight and shy, who asked his eventual wife out on their first date by sending her a computer message. Petersen, on the other hand, is flamboyant and self-assured.

The California Department of Motor Vehicles has a file on Petersen, but refused to divulge any information about him, saying the file was being used in another case. "The indications are that it's Mitnick," said Bill Madison, a spokesman for the agency.

Friends say they think Petersen can survive well on the run. "He's already got a lot of experience" living undercover, said one friend.

But Mitnick may be having a tougher time. Lewis De Payne thinks his friend would like to find a way out of his predicament. "It is my opinion he would like to surrender to some type of news media that could provide legal counsel," he said.

In the Phrack interview, Petersen makes no apologies for his choices in life.

While discussing Petersen's role as an informant, Mike Bowen says, "I think that most hackers would have done the same as you."

"Most hackers would have sold out their mother," Petersen responded.

Times staff writer David Colker contributed to this story.

ARE YOU CARING FOR AN AGING PARENT?

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FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellant,
v.
KEVIN L. POULSEN, et al.,
Defendant-Appellee.

No. 94-10020
D.C. No.
CR-89-20123-RMW
OPINION

Appeal from the United States District Court
for the Northern District of California
Ronald M. Whyte, District Judge, Presiding

Argued and Submitted
November 17, 1994—San Francisco, California

Filed December 8, 1994

Before: Arthur L. Alarcon and Cynthia Holcomb Hall,
Circuit Judges, and Samuel P. King,* District Judge.

Opinion by Judge Alarcon

SUMMARY

Criminal Law and Procedure/
Search and Seizure/Evidence

The court of appeals reversed a district court order. The court held that an individual did not have a legitimate expectation of privacy in the contents of his rental storage locker

*Honorable Samuel P. King, United States Senior District Judge, for the District of Hawaii, sitting by designation.

after the manager of the storage facility seized the property because the rent was overdue.

Appellee Kevin Poulsen entered into a rental agreement for a storage unit with the Menlo-Atherton Storage Facility. When the rent on the unit was in arrears, Menlo mailed a preliminary lien notice to the false address that Poulsen had provided on the agreement. The notice indicated the amount that was owed, and warned that if the sum was not paid in full within 14 days from the date of the notice, an owner's lien on any stored property would be imposed. More than 14 days after the date of the notice, Poulsen went to Menlo and paid part of the balance of the overdue rent on his storage unit. Menlo mailed a second preliminary lien notice to a new false address provided by Poulsen.

When Larry Tyson, the manager of Menlo, entered the unit to remove its contents, he saw telecommunications equipment that apparently belonged to PacBell. Tyson transferred all of the property from the unit to one that was under his exclusive control and called the police to inform them that he believed he had found stolen property. A special investigator for PacBell went to Menlo to view the property taken from the unit. The investigator observed numerous items that he believed had been stolen from PacBell. With Tyson's consent, the investigator took some reel-to-reel computer tapes from the unit.

A police officer went to Menlo to investigate Tyson's report that he had found stolen property in the unit. The PacBell investigator told a police detective that the property he had received from Tyson had been stolen from PacBell. The detective requested and received permission from Tyson to take possession of all of the remaining property that he had removed from the unit. The detective arrested Poulsen. Later that same day, the PacBell investigator gave the reel-to-reel computer tapes that he had taken from Tyson's unit to the police detective.

PacBell representatives accessed some of the tapes, and found that they contained orders listing targets that the United States Air Force would attack in the event of hostilities. Poulsen was charged with numerous offenses, including an espionage offense.

Poulsen filed a motion to suppress the evidence that was seized from his storage unit. The district court suppressed the computer tapes that had been seized by Tyson from the unit. The government appealed the suppression order.

[1] There was jurisdiction over the Government's appeal of the trial court's suppression order, because the suppressed evidence contained substantial proof of a fact material to the espionage charges.

[2] It was clear from the express language of the rental agreement that Menlo had a right to assert a lien on Poulsen's property at the time Tyson entered the unit and removed its contents, because at that time, Poulsen's rent was more than 14 days overdue. Additionally, because Poulsen failed to pay the total sum due within 14 days after the date that the first preliminary lien notice was mailed, Menlo had a lien on the contents of the unit, pursuant to the California Business and Professions Code.

[3] Poulsen failed to demonstrate that Menlo agreed to modify the terms of the contract; the fact that Menlo accepted the partial payment did not modify the terms of the contract.

[4] As of the date that Menlo had a lien on the contents of Poulsen's storage unit, Poulsen lost the right of access to his unit and its contents. Thus, Poulsen could no longer have a legitimate expectation of privacy in the contents of his storage unit.

[5] After the expiration of the rental period, Poulsen no longer had a legitimate expectation of privacy in the contents of

his storage unit. [6] Poulsen failed to demonstrate that he had standing to assert a Fourth Amendment violation regarding the search of the contents of the tapes that were found by Tyson in the unit. Accordingly, the district court's order granting suppression of the tapes was reversed.

COUNSEL

Robert K. Crowe, Assistant United States Attorney, San Francisco, California, for the plaintiff-appellant.

Paul B. Meltzer, Meltzer & Leeming, Santa Cruz, California, for the defendant-appellee.

OPINION

ALARCON, Circuit Judge:

The Government appeals from the order granting Kevin Poulsen's motion to suppress computer tapes turned over to the police after they were seized by the manager of the Menlo-Atherton Storage Facility ("Menlo") because Poulsen failed to pay rent when due on a storage locker. Poulsen filed a motion to suppress. The Government requested dismissal of the motion on the ground, *inter alia*, that Poulsen did not have a legitimate expectation of privacy. The district court concluded that Poulsen had a legitimate expectation of privacy in the contents of the locker.

The district court granted the motion to suppress the computer tapes because it concluded that the manager did not have apparent authority to consent to the search of the contents of the storage locker. We do not reach the merits of the district court's ruling on the alleged Fourth Amendment violation because we conclude that Poulsen has not demonstrated

that he had a legitimate expectation of privacy in the contents of his locker after the manager of the storage facility seized the property because the rent was overdue.

I.

PERTINENT FACTS AND PROCEDURAL HISTORY

On April 28, 1987, Poulsen entered into a rental agreement for a storage unit with Menlo. Poulsen signed the rental agreement using the alias "John Anderson."

On January 8, 1988, the rent on the Anderson unit was 71 days in arrears; Poulsen owed Menlo \$155.50. On that date, Menlo mailed a preliminary lien notice to John Anderson at the false address that Poulsen had provided on the rental agreement. The preliminary lien notice indicated the amount that was owed, and contained the following warning:

If this sum is not paid in full within 14 days from the date of this notice your right to use the storage space and/or facility will terminate, you will be denied access, and an owner's lien on any stored property will be imposed.

This notice was returned to Menlo as undeliverable. On February 2, 1988, more than fourteen days after the date of the notice, Poulsen went to Menlo. He paid \$70.00 towards the balance of the overdue rent on his storage unit. At that time, Poulsen provided Menlo with a second false address. A Menlo employee made a notation in Menlo's files that indicated the amount that Poulsen had paid, the amount that he still owed, and that he "want[ed] to know about access." That same day, Menlo mailed a second preliminary lien notice to the new address provided by Poulsen. This notice was returned to Menlo as undeliverable.

On February 8, 1988, Larry Tyson, the manager of Menlo, entered the Anderson unit to remove its contents. Tyson saw

"a large amount of telecommunications equipment and manuals [that] apparently belonged to [PacBell]." Tyson transferred all of the property from the Anderson unit to one that was under his exclusive control ("Tyson's unit"). Thereafter, he called the Redwood City Police Department to inform them that he believed he had found stolen property in the Anderson unit. A Redwood City Police dispatcher called PacBell to request that a PacBell representative be sent to Menlo to examine the property that Tyson had found in the Anderson unit.

○ The following day, a Redwood City Police officer and John Von Brauch, a special investigator for PacBell, went to Menlo to view the property taken from the Anderson unit. Von Brauch testified that when he examined the property in Tyson's unit, he was acting solely in the interests of PacBell. When Von Brauch entered the Tyson unit, he observed numerous items that he believed had been stolen from PacBell. Specifically, Von Brauch saw a coin-operated telephone, computer manuals that contained proprietary PacBell information, PacBell identification badges, PacBell test equipment, and large reel-to-reel computer tapes.

With Tyson's consent, Von Brauch took some of the reel-to-reel computer tapes to PacBell. He described the tapes as being of the variety typically used in "large main frame or front-end processors." Von Brauch testified that it would be highly unlikely to use this type of computer tape with a home computer.

Von Brauch testified that he thought that the reel-to-reel tapes belonged to PacBell for two reasons. First, he believed that many of the other items in Tyson's unit had been stolen from PacBell. Second, PacBell used reel-to-reel tapes that were similar to those found in Tyson's unit. Von Brauch was unsuccessful in accessing the information on these tapes because the tapes were formatted in the UNIX operating system. PacBell does not use UNIX on its computers.

On February 10, 1988, Tyson notified the Menlo Park Police Department that he had found stolen property in the Anderson unit. The Redwood City Police Department had referred the case to the Menlo Park Police Department after determining that the Menlo-Atherton Storage Facility was in the Menlo Park Police Department's jurisdiction.

Detective James Neal of the Menlo Park Police Department went to Menlo to investigate Tyson's report. Tyson informed Detective Neal that John Anderson had rented a storage locker and his rental payments were substantially overdue. Tyson also advised Detective Neal that Menlo had sent two lien notices and that both had been returned as undeliverable. Tyson failed to inform Detective Neal that Poulsen had made a partial payment of \$70.00 on February 2, 1988, or that he wanted to know about access to his storage unit.

Shortly thereafter, Von Brauch arrived at Menlo and informed Detective Neal that the property he had received from Tyson had been stolen from PacBell. Von Brauch also provided Detective Neal with a list of the items that he had taken to PacBell the previous day. Detective Neal requested and received permission from Tyson to take possession of all of the remaining property that he had removed from the Anderson unit. Detective Neal testified that he took possession of these items because Von Brauch had told him that some of the property had been stolen from PacBell. Detective Neal stated that the ownership of the remaining property was in question.

On February 12, 1988, Tyson called Detective Neal to report that Poulsen was at Menlo. Detective Neal arrested Poulsen. After Poulsen was advised of his *Miranda* rights, he consented to a search of his apartment. There, the police discovered additional computer tapes and PacBell equipment.¹

¹Poulsen did not file a cross-appeal regarding the search and seizure of the items in his apartment. Thus, the constitutionality of that search and

Later that same day, Von Brauch gave the reel-to-reel computer tapes that he had taken from Tyson's unit to Detective Neal.

While Detective Neal was questioning Poulsen, he learned that Poulsen had been employed by the Stanford Research Institute ("SRI"). Detective Neal contacted the Federal Bureau of Investigation ("FBI"). An FBI agent asked SRI to inspect the reel-to-reel computer tapes that had been taken from the Anderson unit by Tyson. SRI reviewed the computer tapes and informed the FBI that the tapes were theirs, but contained nothing of "evidentiary value." SRI returned the tapes to Detective Neal.

Von Brauch requested permission to borrow the tapes to make another attempt to determine whether the tapes contained PacBell proprietary information. On March 18, 1988, representatives of PacBell were successful in accessing some of the tapes. The tapes contained "Air Tasking Orders." These orders list targets that the United States Air Force will attack in the event of hostilities.

On October 6, 1993, Poulsen filed a motion to suppress the evidence that was seized from his storage unit at Menlo and from his apartment. On December 7, 1993, the district court denied Poulsen's motion to suppress. Poulsen filed a motion for reconsideration. On January 3, 1994, the district court suppressed the computer tapes that had been seized by Tyson from the Anderson unit. The Government filed a timely appeal from this order.

seizure is not before this court. *Turpen v. City of Corvallis*, 26 F.3d 978, 980 (9th Cir.), cert. denied, ___ S. Ct. ___, 63 U.S.L.W. 3192 (U.S. Oct. 31, 1994) (a court should not address an issue for which a cross-appeal has not been filed).

II.

JURISDICTION TO REVIEW THE GOVERNMENT'S APPEAL

Poulsen asserts that this court does not have jurisdiction to adjudicate the Government's appeal. The Government argues that this court has jurisdiction pursuant to 18 U.S.C. § 3731.²

We have held that three conditions must be satisfied before the Government can appeal from a suppression order. First, the Government cannot appeal if the defendant has been put in jeopardy. Poulsen does not claim he has been placed in jeopardy. Second, an appeal must not be taken for the purpose of delay. Third, the suppressed evidence must be substantial proof of a fact material to the proceedings. *United States v. Adrian*, 978 F.2d 486, 491 (9th Cir. 1992); *United States v. Loud Hawk*, 628 F.2d 1139 (9th Cir. 1979) (en banc), cert. denied, 445 U.S. 917 (1980).

The United States Attorney's Office for the Northern District of California certified that "the appeal [was] not taken for the purpose of delay." Poulsen contends that the Government's sole purpose in pursuing this appeal is to delay his trial because on October 6, 1993, approximately two weeks prior to the date that his trial was scheduled to begin, the Government filed the second superseding indictment. Poulsen did not argue in the district court that the Government filed the second superseding indictment for the purpose of delay. Thus, he

²18 U.S.C. § 3731 states, in pertinent part, that:

An appeal by the United States shall lie to a court of appeals from a decision or order of a district court [sic] suppressing or excluding evidence . . . if the United States Attorney certifies to the district court that the appeal is not taken for purpose of delay and that the evidence is a substantial proof of a fact material in the proceeding.

is precluded from raising this issue for the first time on appeal. *Singleton v. Wulff*, 428 U.S. 106, 120 (1976) (generally, a federal appellate court should not consider issues that were not raised before the trial court); *United States v. Parr*, 843 F.2d 1228, 1232 (9th Cir. 1988). Furthermore, the Government's certificate is sufficient to fulfill its burden of establishing that this appeal was not filed for the purpose of delay. *United States v. Helstoski*, 442 U.S. 477, 487 n.6 (1978); *Adrian*, 978 F.2d at 491.

Poulsen contends that the computer tapes are not material to the charges in the second superseding indictment. In *Adrian*, we stated that for suppressed evidence to be material under 18 U.S.C. § 3731, it must make a:

considerable contribution to cognition of a fact relevant to resolution of the case [T]he government [will] have satisfied this additional jurisdictional requirement if, assuming that the evidence would be admissible, a reasonable trier of fact could find the evidence persuasive in establishing the proposition for which the government seeks to admit it.

Id. at 491.

In *Adrian*, we noted that § 3731 should be liberally construed, and that courts should interpret "substantial proof of a fact material" in a way that facilitates rather than hinders the government's ability to seek review in this court." *Id.* at 491 (citations omitted).

To support his position that the computer tapes are not material to the prosecution, Poulsen cites *United States v. Loud Hawk*, 628 F.2d 1139, 1150 (9th Cir. 1979) (en banc), cert. denied, 445 U.S. 917 (1980). In *Loud Hawk* the defendant was charged with possession of firearms, including dynamite, in a multiple count indictment. After the district court suppressed the dynamite and dismissed the indictment, the

Government filed an appeal pursuant to 18 U.S.C. § 3731. *Id.* at 1143. We held that the Government had the right to appeal the suppression order only as it related to the dynamite counts; we would not consider the Government's appeal as it related to the non-dynamite counts. *Id.*, 628 F.2d at 1150.

[1] Poulsen concedes that the suppressed evidence could be relevant to the "espionage charges"³ in the second superseding indictment. Accordingly, we have jurisdiction over the Government's appeal of the trial court's suppression order, because as acknowledged by Poulsen, the suppressed evidence contains substantial proof of a fact material to the espionage charges.

Poulsen's assertion that the suppressed evidence is not material because it could not be used to increase his sentence is not persuasive. The standard to determine whether evidence is material is not, as asserted by Poulsen, whether the evidence has the potential for increasing a defendant's term of incarceration. Rather, as discussed *supra*, it is whether the evidence would be persuasive to a reasonable trier of fact in establishing the proposition for which the Government seeks to admit it. *Adrian*, 978 F.2d at 491.

III.

A RENTER DOES NOT HAVE A LEGITIMATE EXPECTATION OF PRIVACY IN THE CONTENTS OF A RENTAL UNIT IF THE RENT IS NOT PAID

We review de novo the question whether a defendant has asserted a valid Fourth Amendment violation. We review the trial court's underlying factual determinations for clear error. *United States v. Lingenfelter*, 997 F.2d 632, 636-37 (9th Cir.

³There is only one "espionage charge" in the second superseding indictment, which is count 12, for a violation of 18 U.S.C. § 793(e), gathering of defense information.

1993); *United States v. Broadhurst*, 805 F.2d 849, 851 (9th Cir. 1985). Before we can reach the merits of Poulsen's Fourth Amendment claim we must determine whether he had a legitimate expectation of privacy regarding the contents of his storage unit at the time Tyson delivered the tapes to the police. *Rawlings v. Kentucky*, 448 U.S. 98, 104-05 (1980); *Rakas v. Illinois*, 439 U.S. 128, 143 (1978); *Lingenfelter*, 997 F.2d at 636. Poulsen has the burden of demonstrating that he has standing to assert a Fourth Amendment violation. *United States v. Davis*, 932 F.2d 752, 756 (9th Cir. 1991).

The only search at issue in this appeal concerns the contents of the computer tapes that Tyson found in the Anderson unit. It is undisputed that when Tyson entered the Anderson unit and removed all of its contents, he was not acting as a police agent. Thus, Tyson's conduct in removing the items he found in the Anderson unit did not implicate Poulsen's Fourth Amendment rights. See *Walter v. United States*, 447 U.S. 649, 659 (1980); *United States v. Reed*, 15 F.3d 928 (9th Cir. 1994). (the Fourth Amendment generally does not protect against intrusions by private individuals.)

The Government argues that after January 22, 1988, Poulsen did not have a legitimate expectation of privacy in the contents of the Anderson unit because Menlo had a lien on that property based upon paragraph 17 of the rental agreement, and the sections of the California Business and Professions Code that relate to self-storage rental facilities.

Paragraph 17 of the rental agreement provides as follows:

LIENS: Occupant's stored property will be subject to a claim of lien for unpaid rent and other charges and may be sold to satisfy the lien if the rent or other charges due remain unpaid for fourteen (14) consecutive days. This lien and its enforcement are authorized by Chapter 10 (commencing with Section

21700) of the California Business and Professions Code.

The relevant sections of the California Business & Professions Code ("Cal. Bus. & Prof. Code") are contained in the "California Self-Storage Facility Act," which is set forth at sections 21702, 21703, and 21705 (West 1987).

§ 21702 provides:

The owner of a self-service storage facility and his or her heirs, executors, administrators, successors, and assigns have a lien upon all personal property located at a self-service storage facility for rent, labor, or other charges, present or future, incurred pursuant to the rental agreement, and for expenses necessary for the preservation, sale, or disposition of personal property subject to the provisions of this chapter. The lien may be enforced consistent with the provisions in this chapter.

§ 21703 provides, in pertinent part:

When any part of the rent or other charges due from an occupant remain unpaid for 14 consecutive days, an owner may terminate the right of the occupant to the use of the storage space at a self-service storage facility by sending a notice to the occupant's last known address . . . , by certified mail, postage prepaid, containing all of the following:

- (a) An itemized statement of the owner's claim showing the sums due at the time of the notice and the date when the sums became due.
- (b) A statement that the occupant's right to use the storage space will terminate on a

specified date (not less than 14 days after the mailing of the notice) unless all sums due are paid by the occupant prior to the specified date.

(c) A notice that the occupant may be denied access to the storage space after the termination date if the sums are not paid, and that an owner's lien as provided for in Section 21702, may be imposed thereafter.

(d) The name, street address, and telephone number of the owner, or his or her designated agent, whom the occupant may contact to respond to the notice.

§ 21705 provides, in pertinent part:

If a notice has been sent, as required by Section 21703, and the total sum due has not been paid as of the date specified in the preliminary lien notice, the lien imposed by this chapter attaches as of that date, and the owner may deny an occupant access to the space, enter the space, and remove any property found therein to a place of safe keeping.

[2] It is clear from the express language of the rental agreement that Menlo had a right to assert a lien on Poulsen's property at the time Tyson entered the Anderson unit and removed its contents to the Tyson unit, because at that time, Poulsen's rent was more than 14 days overdue. Additionally, because Poulsen failed to pay the total sum due within 14 days after the date that the first preliminary lien notice was mailed, Menlo had a lien on the contents of the Anderson unit, pursuant to section 21705 of the California Business and Professions Code.

Poulsen asserts that Menlo's lien was not valid because he made a partial payment of \$70.00 on February 2, 1988. Pou-

sen has failed to cite any authority for the proposition that a partial payment prevents the enforcement of a lien pursuant to section 21705. Under section 21705, a tenant must pay the total sum due to avoid the enforcement of the lien. It is undisputed that Poulsen did not pay the unpaid rent by January 22, 1988; thus, Menlo's lien attached as of that date.

Poulsen also contends that the second preliminary lien notice altered the terms of the rental agreement by extending the date for payment of the total amount owed until February 16, 1988. To prove that the terms of the contract were modified by the second preliminary lien notice, Poulsen must demonstrate that Menlo intended to modify the terms of the contract. *Hunt v. Smyth*, 25 Cal. App. 3d 807 (1972) (the burden of proof is on the party asserting that the contract has been modified and that party must establish that it was the parties' intent to extinguish the prior agreement and to substitute a new one); 1 B.E. Witkin, *Summary of California Law, Contracts* § 909 (1987) (a modification of a contract is a change in obligation which requires mutual assent).

[3] Poulsen has failed to demonstrate that Menlo agreed to modify the terms of the contract. In fact, the undisputed evidence shows that Menlo did not intend to modify Poulsen's contractual obligation to pay the balance of the rental payments on or before January 22, 1988. On February 8, 1988, Tyson entered the Anderson unit to assert a lien over its contents. The fact that Menlo accepted the \$70.00 partial payment did not modify the terms of the contract. See *Hunt*, 25 Cal. App. 3d at 819 (in the absence of some agreement between the parties to modify a contract, the mere acceptance of a partial payment does not discharge the balance or modify the original terms of the contract).

Poulsen maintains that he detrimentally relied on the second preliminary lien notice. Poulsen has failed to demonstrate that he was aware of the contents of the second preliminary

lien notice. The record shows that the second preliminary lien notice was returned as undeliverable.

The question whether a lien on the contents of a rental unit is sufficient to extinguish the renter's legitimate expectation of privacy is an issue of first impression in this circuit. There are analogous cases, however, which hold that after the expiration of a rental period, the renter does not have standing to assert a Fourth Amendment violation concerning property left in the unit. For example, in *United States v. Huffhines*, 967 F.2d 314 (9th Cir. 1992), we considered whether a defendant, who was a guest in a hotel, retained a legitimate expectation of privacy in his room after the expiration of the rental period. The defendant argued that his arrest, which occurred prior to the search of his hotel room, had prevented him from renewing his rental agreement. We held in *Huffhines* that the defendant's Fourth Amendment rights were not violated because the rental period had expired prior to his arrest. *Id.* at 318. We reasoned that the defendant no longer retained a legitimate expectation of privacy in his room at the time of the search. *Id.*

Similarly, in *United States v. Haddad*, 558 F.2d 968 (9th Cir. 1977) a hotel guest, who had been lawfully ejected from his room for being intoxicated, for carrying a gun in the hotel, and for engaging in disorderly conduct, asserted that he had a legitimate expectation of privacy in his room. *Id.* at 975. We reasoned that because the guest was ejected for good cause, "the room reverted to the control of the management, and the former occupant had no continuing right to privacy in the room." *Id.* Accord, *United States v. Reyes*, 908 F.2d 281, 285-86 (8th Cir. 1990) (defendant lacks standing to object to a warrantless search of a rented locker after the expiration of the rental period); *United States v. Rambo*, 789 F.2d 1239, 1295-96 (8th Cir. 1986) (defendant does not have a legitimate expectation of privacy in a hotel room after being lawfully ejected); *United States v. Ramirez*, 810 F.2d 1338, 1341 (5th Cir.), cert. denied, 484 U.S. 844 (1987) (a defendant does not

have a legitimate expectation of privacy after the rental period expires); *United States v. Croft*, 429 F.2d 884, 887 (10th Cir. 1970) (after the expiration of the rental period, a hotel guest loses his right to use the room and thus, the guest does not have standing to assert a Fourth Amendment violation).

The Second Circuit's decision in *United States v. Rahme*, 813 F.2d 31 (2d Cir. 1987), closely parallels the question presented in this matter. In *Rahme*, a hotel clerk allowed police officers to search luggage and a briefcase that were left in a guest's room after the guest had failed to pay his rent and the rental period had expired. *Id.* at 33.

The Second Circuit noted that under a New York statute, a hotel had a lien on any property found in a guest's room for rent due after the expiration of the rental period. *Id.* at 34-35. The court held in *Rahme* that once a hotel "properly takes possession of the luggage, the guest no longer has the right to control access to it and can have no legitimate expectation of privacy in it." *Id.* at 35. The Second Circuit also noted that "once the guest's access to the room is no longer his 'exclusive right,' he has no legitimate expectation of privacy in the room even though he himself still has access." *Id.* at 34. Accordingly, the court held that the defendant did not have standing to assert a Fourth Amendment violation because he did not have a legitimate expectation of privacy in the contents of his hotel room. *Id.*

[4] Similarly, in this case, on January 22, 1988, Menlo had a lien on the contents of Poulsen's storage unit based upon the express terms of the rental agreement between the parties and sections 21702, 21703 and 21705 of the California Business and Professions Code. As of that date, Poulsen lost the right of access to his unit and its contents. Thus, Poulsen could no longer have a legitimate expectation of privacy in the contents of his storage unit.

[5] The fact that Poulsen inquired whether he could have access to his unit demonstrates his awareness that under the

rental agreement, he could not enter the unit because his rent had been overdue for more than 14 days. Poulsen's claim that the record shows that he did not intend to abandon his property, does not advance his cause. After the expiration of the rental period, he no longer had a legitimate expectation of privacy in the contents of his storage unit. Thus, whether Poulsen intended to abandon his property is irrelevant.

IV.

CONCLUSION

[6] Because Poulsen failed to pay the total amount of the unpaid rent prior to January 22, 1988, he did not have a legitimate expectation of privacy in the contents of his storage unit after that date. Therefore, Poulsen has failed to demonstrate that he has standing to assert a Fourth Amendment violation regarding the search of the contents of the tapes that were found by Tyson in the Anderson unit. Accordingly, the district court's January 3, 1994 order granting suppression of the tapes is REVERSED.

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588) Date 1/12/95

From : SA [redacted] (CE-6)

Subject: JUSTIN PETERSEN,
ET AL;
IOC;
OO: LOS ANGELES

On 1/9/95, [redacted] appeared at the Los Angeles FBI office. [redacted] had been in recent contact with [redacted] who claimed that [redacted] had recently called [redacted]. According to [redacted] informed [redacted] that he had received numerous threats from unknown individuals, possibly motorcycle gang members, who he suspects are linked with PETERSEN. [redacted] stated that PETERSEN has also been in telephonic contact with [redacted]

Subsequently, [redacted] called [redacted] on 1/6/95. [redacted] repeated to [redacted] what he had earlier told [redacted] believed that PETERSEN, "was setting him up to kill him" based on unidentified individuals threatening him over the phone.

On 1/12/95, [redacted] was contacted by writer. [redacted] said that he had been recently threatened by these individuals who he suspects are motorcycle gang members. [redacted] could not provide any additional information relating to the identity of these individuals other than PETERSEN has been known to associate with motorcycle gang members. [redacted] was informed that his concerns would be made known to [redacted]

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Edition:Daily News
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On-line game afoot in 2 books

Authors have very different takes on reasons behind hunt for fugitive hacker

By Keith Stone

Daily News Staff Writer

He is either a harmful cyberfelon who stole millions of dollars in software and credit card numbers, or he is merely a minor criminal whose evil image is the product of media hype and society's ignorance.

Or perhaps Kevin Mitnick, the 32-year-old son of a Panorama City waitress, is a little of both.

Two new books have cast Mitnick in vastly different, albeit starring roles in what amounts to a cautionary tale about the Internet and the uncharted depths of digital crime.

And as part of a he-said, she-said subplot, the authors now are taking shots at each other's journalistic competence and ethics, complete with accusations of profit-driven bias:

On one side is New York

Times reporter John Markoff and San Diego computer security expert Tsutomu Shimomura, who co-wrote "Takedown." On the other is Jonathan Littman, a Bay Area writer who authored "The Fugitive Game — On Line With Kevin Mitnick."

Mitnick is now in federal custody in Los Angeles, where he is awaiting a Jan. 29 court hearing. He was captured Feb. 15, 1995, in North Carolina

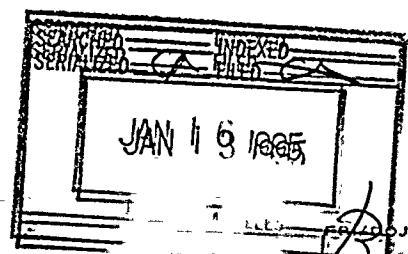
after Shimomura led the FBI on a nationwide manhunt, all witnessed firsthand and exclusively by Markoff.

"This guy (Mitnick) is not an ax murderer, but he is costing dozens of companies thousands to clean up after him," Markoff said during an interview Wednesday. "I don't think that in any of my writing I have ever meant to demonize Kevin Mitnick."

See MITNICK / Page 13



139C-LA-127588-389



(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date:

Authors debate real story behind hacker's capture

MITNICK / From Page 1

"Because the media turned it into a circus — does that justify what Kevin did?" he asked. "He defined an era in which we are moving from a physical world to this world of cyberspace."

In "Takedown," the story of the hunter, Shimomura, Mitnick is accused of having illegally read people's electronic mail and stolen credit card numbers and software that could be used to reap riches and crack computers.

But Littman tells a different story of Mitnick — that is, the story of the hunted, based in part on interviews with the hacker himself.

"Kevin Mitnick was turned into an icon, an icon of all that we should fear. And the trouble is, I don't think he is a real danger," Littman said in an interview. "He never actually did the things that fit the demon image that was created for him by Markoff and Shimomura."

What is known for sure is that Mitnick has pleaded guilty in North Carolina to cellular telephone fraud as part of a plea bargain that would throw out all but one of 23 charges. If the plea is accepted, Mitnick could face eight months in prison.

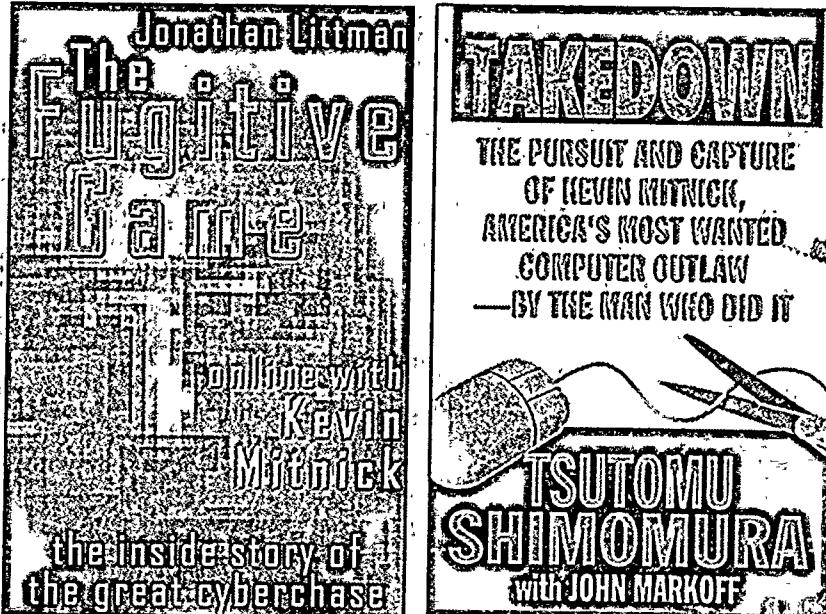
Now in Los Angeles, Mitnick must answer to charges that he violated supervised release, a condition of an earlier computer crime conviction. Mitnick is accused of having broken into a telephone company computer.

The state's Department of Motor

didn't do so and has not been argued with any such crimes.

Yet Mitnick's image persists.

"When you don't understand the computer world, you are susceptible to being taken in by hyperbole of



"The Fugitive Game" and "Takedown" discuss the pursuit of hacker Kevin Mitnick, seen by some as harbinger of a dark electronic future. people like John Markoff and Shimomura. Those guys are promoting a book," Yzurdiaga said.

David Schindler, lead federal prosecutor in Los Angeles, said Mitnick's crimes are "quite serious," regardless of whether he is "the worst individual to travel the Internet or the second-worst or the 10th worst."

Schindler wouldn't say whether Mitnick faces charges beyond those made public.

As to whether Mitnick's punishment will reflect his larger-than-life reputation, Schindler said that sentencing guidelines may be lagging

contends that Shimomura was developing sophisticated programs to help secure the Internet, not compromise it. In fact, that very technology was key in catching Mitnick.

"It raises very thorny problems about security and privacy, but I don't think Tsutomu was wrong to develop the tools," Markoff said.

"Kevin Mitnick is a harbinger," Markoff said. "He is indicative of the kinds of issues we have to face as we move into this on-line world."

"You've got to start asking the question who is more dangerous? Mitnick or Shimomura?" Littman said.

Markoff counters that his stories are accurate and fair. Further, he

White House believed the firing of William Clincher, R-Pa., committee chairman. Watkins also testified that the Senate also ready to fire them all the day. "bumped into Hillary and she's

(Mount Clipping in Space Below)

Computer Hacker's Term May Exceed U.S. Guidelines

By JOHN JOHNSON
TIMES STAFF WRITER

A federal judge signaled his intention Monday to slap admitted computer hacker Kevin Poulsen with a jail term tougher than federal guidelines allow.

"The defendant's actions are more serious than the guidelines take into account," said U.S. District Judge Manuel Real, referring to sentencing guidelines which limit a federal judge's discretion in imposing punishment. "They are not really designed for this kind of matter, where a person puts [law enforcement] agents in jeopardy."

Poulsen used his expertise in computers and an intimate knowledge of telephone operations to seize control of the lines of Los Angeles radio stations KIIS-FM and KPWR-FM in 1990 and win luxury cars and \$50,000 in cash.

But what apparently upset Real most was Poulsen's entry into a computer from which he tried to obtain the names of undercover businesses operated by the FBI.

"This wasn't just hacking," Real said at the hearing.

The judge's tough stance comes less than two weeks after a nationwide electronic manhunt netted the nation's most notorious fugitive hacker, Kevin Mitnick.

Although Mitnick has been the focus of widespread publicity lately, some computer crime experts consider Poulsen to be perhaps the most skilled hacker of all. Poulsen

lowed by an undisclosed plea agreement worked out by the defense and prosecution. Under federal sentencing guidelines, each count carries a range of penalties, but Real said he wanted to go beyond that range.

Assistant U.S. Atty. David Schindler refused to explain details of the plea bargain, saying they are secret.

He denied that Real's intention of departing from federal sentencing guidelines in Poulsen's case was influenced by the arrest of Mitnick or any other hacking cases.

"The court is attempting to address solely Mr. Poulsen's conduct," Schindler said.

Poulsen faces separate charges of espionage for acquiring a classified 1987 Air Force order listing targets in case of nuclear war.

Poulsen's parents, Lee and Bernadine Poulsen, were sitting in the front row in court when their son, smiling, with his short brown hair parted in the middle, was brought in before sentencing.

"It's nervous time," said Lee Poulsen, 59, a retired mechanic. "I'm just keeping my fingers crossed."

Growing up in the San Fernando Valley, as did Mitnick, Poulsen taught himself how to use a computer on a TRS 80, Radio Shack model and got a job in the 1980s testing computer security for the Pentagon.

After his arrest in 1988, he fled and was captured three years later.

(Indicate page, name of newspaper, city and state.)

Date:
Edition:

2/28/65

Title:

Character: 134
or
Classification:
Submitting Office:

Indexing:

11

139C-LA-127588-348

SEARCHED INDEXED
SERIALIZED FILED
MAR 1 6 1995
FBI - LOS ANGELES

FBI

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PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 2/28/95

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/ROUTINE/

INFO FBI SAN FRANCISCO/ROUTINE/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: FBIHQ ECONOMIC CRIMES UNIT AND NSD-5.

SUBJECT: JUSTIN TANNER PETERSEN; KEVIN POULSEN; IOC; OO: LOS ANGELES.

REFERENCE TELETYPE TO FBIHQ DATED 10/6/94.

FOR INFORMATION OF FBIHQ AND SAN FRANCISCO DIVISION, ON
 2/27/95, POULSEN APPEARED BEFORE U.S. DISTRICT COURT JUDGE
 REAL, CENTRAL DISTRICT, LOS ANGELES, FOR SENTENCING. JUDGE
 REAL INFORMED POULSEN'S ATTORNEY THAT HE IS
 RECOMMENDING AN UPWARD DEPARTURE AND CONTINUED THE SENTENCING
 HEARING TO 4/10/95. JUDGE REAL EXPLAINED THAT AFTER REVIEWING

b6
b7CApproved: CP/f Original filename: DZW001W.059Time Received: 1929/060 Telprep filename: DZW001SO.059MRI/JULIAN DATE: 1929/060 ISN: 23FOX DATE & TIME OF ACCEPTANCE: 1951 on 01 MAR 95
139C-LA-127588- 344

^PAGE 2 (139C-LA-127588) UNCLAS

THE EXTENT OF POULSEN'S CRIMINAL ACTIVITIES AND THE FACT THAT POULSEN PLACED FBI AGENTS IN JEOPARDY, SENTENCING GUIDELINES DID NOT ADEQUATELY ADDRESS POULSEN'S CRIMINAL BEHAVIOR.

SAME DATE, JUSTIN PETERSEN SIGNED A SECOND PLEA AGREEMENT ENTAILING CONSPIRACY TO COMMIT WIRE FRAUD; COMMITTING AN OFFENSE WHILE ON BOND AND FRAUD IN CONNECTION WITH ACCESS DEVICES AS A RESULT OF HIS ARREST ON 8/29/94. PETERSEN IS BELIEVED TO BE INVOLVED IN ACCESSING CONFIDENTIAL PASSWORDS OF EMPLOYEES AT HELLER FINANCIAL CORPORATION, GLENDALE, CALIFORNIA, AND UTILIZING THOSE PASSWORDS TO ACCESS \$150,000 FROM HELLER'S BANK ACCOUNT AT MELLON BANK, PENNSYLVANIA, AND WIRED THOSE FUND'S TO A BANK ACCOUNT AT UNION BANK, BELLFLOWER, CALIFORNIA, ON 8/17/94. THE WIRE TRANSFER WAS FACILITATED BY A BOMB THREAT PLACED TO HELLER FINANCIAL ON 8/17/94 WHICH RESULTED IN THE ENTIRE BUILDING BEING EVACUATED. PER PLEA AGREEMENT, PETERSEN WILL BE FULLY DEBRIEFED WITHIN THE NEXT TWO WEEK PERIOD.

SUBJECT IS SCHEDULED FOR SENTENCING ON 3/27/95.

BT

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b7c

(Mount Clipping in Space Below)

Computer hacker pleads guilty to fraud charges

By Keith Stone
Daily News Staff Writer

A computer hacker who admitted rigging radio station contests in Los Angeles pleaded guilty Monday to additional charges that he used his electronic skills to take \$150,000 from Glendale company in 1994.

Justin Tanner Petersen, 34, entered his guilty plea in U.S. District Court in Los Angeles to conspiracy to commit computer fraud and

committing wire fraud while he was a fugitive.

Petersen faces a possible maximum prison term of 60 years and \$2 million in fines. He is scheduled to be sentenced June 5 by Judge Stephen Wilson.

Assistant U.S. Attorney David Schindler said Petersen used his computer knowledge to illegally obtain passwords for Heller Financial Inc., in Glendale. On Aug. 17, 1994, Petersen entered Heller's computers and transferred

\$150,000 to Union Bank, Schindler said.

"He telephoned in two bomb threats on Aug. 17, the day the wire transfer occurred, in order to have the building cleared when the wire transfer was executed," Schindler added.

The money was sent to the account of an unnamed co-conspirator at the Union Bank branch in Bellflower, Schindler said. No charges have been filed against that person, but an investigation is under way, Schindler said.

On Monday, Petersen also pleaded guilty to illegally obtaining about 40 computer passwords belonging to Heller, the popular computer service America On-Line, and the credit company TRW.

Petersen's court-appointed attorney Morton H. Boren said Petersen is contrite. "I think Justin realizes he has a price he has to pay for what he has done," Boren said.

Investigators contend that Petersen committed the crimes just before his capture in Westwood in

August 1994. Known in cyberspace under the alias, "Agent Steal," Petersen had been working with federal agents as an informant against other hackers.

But when agents discovered he also was using his computer skills to enrich himself, Petersen ran and led them on a chase that lasted 10 months.

Petersen also has pleaded guilty to seizing control of telephone lines to win cash prizes, cars and vacations in radio giveaway contests in Los Angeles.

News Chronicle

(Indicate page, name of newspaper, city and state.)

Thousand Oaks,
California

Date: 3-28-95
Edition: Conejo Valley News - P. 4

Title: Computer Hacker Pleads Guilty to Fraud Charges

Character:

or

Classification:

Submitting Office:

Los Angeles

Indexing:

139 C-LA-127588-344

SEARCHED	INDEXED
SERIALIZED	FILED
CE-6	
MAR 29 1995	
FBI - LOS ANGELES	

[Handwritten signatures and initials over the stamp]

LAW OFFICE

MORTON H. BOREN

205 SOUTH BROADWAY, SUITE 600
LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 628-6361

PLEASE REFER TO
FILE NO:

March 29, 1995.

[REDACTED]
Assistant United States Attorney
United States Attorney's Office
312 N. Spring St.
Los Angeles, CA 90012

RE: JUSTIN PETERSEN / RETURN OF PROPERTY

b6
b7C

Dear Mr. [REDACTED]

This letter is your authorization to have my 1985 BMW
automobile and all other non-contraband property of mine that is
in the possession of the United States government released to
[REDACTED], Newbury Park, California, 91320.

Her telephone number is [REDACTED]

Thank you for your courtesy and cooperation.

Yours truly,


JUSTIN PETERSEN

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 3/29/95

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/ROUTINE/

FBI SAN FRANCISCO/ROUTINE/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: FBIHQ, ECONOMIC CRIMES UNIT AND NSD-5.

SUBJECT: JUSTIN TANNER PETERSEN; KEVIN POULSEN; IOC; OO: LOS ANGELES.

REFERENCE LOS ANGELES TELETYPE DATED 2/28/95.

ON MARCH 27, 1995, JUSTIN PETERSEN APPEARED BEFORE U.S. DISTRICT COURT JUDGE WILSON, LOS ANGELES, AND PLED GUILTY TO A THREE COUNT INFORMATION; TITLE 18, USC, 371-CONSPIRACY; 1029(A) (3)-FRAUD IN CONNECTION WITH ACCESS DEVICES AND 3147- COMMITTING AN OFFENSE WHILE RELEASED ON BAIL. AS A RESULT OF A PRE-EXISTING SIX COUNT PLEA AGREEMENT SIGNED BY PETERSEN,

b6
b7c*SP/aw*Approved: SP/aw Original filename: D2W001W.0&8Time Received: 21511089 Telprep filename: D2W001S0.0&8MRI/JULIAN DATE: 21511089 ISN: 21FOX DATE & TIME OF ACCEPTANCE: 2331 30MARCH95

SEARCHED

INDEXED

CA

139C-LA-127588-346

^PAGE 2 (139C-LA-127588) UNCLAS

PETERSEN WILL BE SENTENCED ON JUNE 5, 1995 ON NINE COUNTS OF COMPUTER RELATED CHARGES.

SUBJECT POULSEN WILL BE SENTENCED ON APRIL 10, 1995 AND SUBJECT [REDACTED] ON JUNE 26, 1995.

BT

b6
b7c

Memorandum



To : Director, FBI

Date 4/4/95

From : SAC, Los Angeles

ATT. : Correspondence Unit
Office of Public AffairsSubject : CORRESPONDENCE MATTERS
RECOMMENDATION FOR LETTER FROM DIRECTOR

This form may be utilized where applicable in conjunction with Bureau letter to Albany and all offices dated 11-7-73 captioned "Correspondence Matters."

Name to whom letter should be addressed [Redacted]	Rank/Title AUSA
Agency Address (include Zip Code) (Home Address if Appropriate, i.e., Retired) 312 North Spring Street Los Angeles, California 90012	
Person being commended or thanked (include rank/title and address, if different than above)	

BASIS FOR RECOMMENDATION: (Amplify under "Remarks.")

- Retirement (Date of function if being presented)
- Promotion (Indicate from _____ to _____)
- Serious illness (Indicate where confined; if hospital, how long confinement will be.)
- Death (Indicate next of kin, widow, if any, and children, if any.)
- Death in family (Indicate relationship)
- Editorial or feature article (Indicate whether complimentary or derogatory; also indicate editor or newspaperman to be written with address and Zip Code.)
- Appreciation for assistance in Bureau case. Identify case by caption under "Remarks."
- Other _____

b6
b7C

REMARKS: (Set forth below a clear, concise, justification for recommendation. Be specific, omit generalities. If applicable, include Bureau file number. Note if copies should be designated or sent to supervisor or subordinates and provide complete address. Indicate if letter is to be presented by SAC and/or if there is a deadline involved.)

3 - Bureau
O - Los Angeles

139 LA-127588-347

SEARCHED	INDEXED
SERIALIZED	FILED
APR - 5 1995	
GELES	
FBI/DOJ	

Enc.

KEVIN POULSEN;
JUSTIN TANNER PETERSEN;
[redacted]

IOC;
OO: LOS ANGELES
139C-LA-127588

For information, this investigation was a very complex investigation initiated in September, 1991 concerning the criminal activities of computer hackers. AUSA [redacted], United States Attorney's Office, Los Angeles, California, was assigned the prosecution of this investigation.

The subjects of this investigation were involved in extensive computer fraud, burglaries. [redacted]

[redacted] AUSA [redacted]
strong advocacy for the investigation resulted in the indictments of POULSEN, PETERSEN [redacted]

b6
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b7E

To date, [redacted] has pled guilty to seven counts of computer related crimes and will be sentenced on June 26, 1995. POULSEN pled guilty to seven counts to include money laundering charges and he will be sentenced on April 10, 1995. PETERSEN has pled guilty to nine counts and will be sentenced on June 26, 1995. [redacted] was sentenced in November, 1994.

Throughout the investigation, AUSA [redacted] exhibited a strong personal commitment, and the Special Agents who worked closely with [redacted] over a four-year period, have been extremely praiseworthy of his untiring efforts and of the highest standards of professionalism that he displayed.

Due to the complexity and intricacy of this investigation, only a highly motivated, experienced, and knowledgeable attorney such as Mr. [redacted] could have brought this investigation to a successful resolution. He worked exceptionally long hours shepherding the case past numerous obstacles during the four-year prosecutive phase of this investigation.

Based upon the above, it is recommended that a letter of appreciation be addressed to Mr. [redacted] as follows:

AUSA [redacted]
United States Attorney's Office
312 North Spring Street
Los Angeles, California 90012

b6
b7C

It is requested that the letter be returned to SAC Los Angeles, Attention: SSA [redacted] for personal presentation.

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 4/11/95

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/ROUTINE/
 FBI SAN FRANCISCO/ROUTINE/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: FBIHQ ECONOMICS CRIMES UNIT AND NSD-5.

SUBJECT: JUSTIN TANNER PETERSEN; KEVIN POULSEN

[REDACTED] IOC; OO: LOS ANGELES.

REFERENCE LOS ANGELES TELETYPE DATED 3/29/95.

ON APRIL 10, 1995, KEVIN POULSEN APPEARED BEFORE U.S. DISTRICT COURT JUDGE REAL, LOS ANGELES, FOR SENTENCING. POULSEN WAS SENTENCED TO 51 MONTHS INCARCERATION, 3 YEARS PROBATION AND \$58,000 IN RESTITUTION. POULSEN WILL BE TRANSPORTED BY THE U.S. MARSHAL'S TO SAN FRANCISCO WHERE HE WAS PREVIOUSLY INDICTED BY SAN FRANCISCO FIELD OFFICE.

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b7cApproved: CP/jm Original filename: D2W001W.101Time Received: Telprep filename: D241001S0.101MRI/JULIAN DATE: 23/102 ISN: 4FOX DATE & TIME OF ACCEPTANCE: 00016

139C-LA-127588-349

^PAGE 2 (139C-LA-127588) UNCLAS

PETERSEN AND [REDACTED] WILL BE SENTENCED IN LOS ANGELES ON
JUNE 6 AND JUNE 26, 1995, RESPECTIVELY.

FD-515 TO FOLLOW.

BT

b6
b7C

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

LA Times
 Date: *4/11/95*
 Edition: *Metro*
 Title:

Character:
 or
 Classification:
 Submitting Office:

Indexing:

PC

LOS ANGELES**Hacker Gets 51 Months in Radio Contest Scam**

A computer hacker who rigged telephone lines to win contests sponsored by Los Angeles radio stations KIIS-FM, KPWR-FM and KRTH-FM was sentenced Monday to 51 months in prison.

Kevin Lee Poulsen, 29, of North Hollywood, pleaded guilty last June to using computers to rig telephones at the three radio stations so that he and his accomplices would be the winning callers. During a two-year period that began in 1989, Poulsen and the others won two Porsches, at least \$22,000 in cash and two trips to Hawaii.

In giving the hacker—known as "Dark Dante"—the longest sentence ever handed down for such a computer crime, U.S. District Judge Manuel Real ordered Poulsen to pay restitution of \$36,925 to KIIS, \$20,000 to KPWR and \$1,000 to KRTH.

Poulsen had originally faced a term of 30 to 37 months in prison, but Real added time because the defendant could have jeopardized federal agents when he broke into a Pacific Bell computer in August, 1989, to get information about FBI wiretaps.

Poulsen has been in custody since his arrest in Los Angeles four years ago on a warrant for espionage-related charges out of Northern California. Two years later, prosecutors in Los Angeles announced the indictment against him for the radio station contests and FBI wiretaps. Last June, he pleaded guilty to seven counts for his Southern California activities, including computer fraud, interception of wire communications, mail fraud, money laundering and obstruction of justice.

139C-LA-127586-30

SEARCHED	INDEXED
SERIALIZED	FILED
APR 30 1995	
FBI	

J. B.

Accomplishment Report
(Submit within 30 days from date of accomplishment)Report Date: 4/14/95From: SAC, Los Angeles

Does Accomplishment Involve: (check all that apply)	
Drugs	<input type="checkbox"/>
A Fugitive	<input type="checkbox"/>
Bankruptcy Fraud	<input type="checkbox"/>
Computer Fraud/Abuse	<input checked="" type="checkbox"/>
Corruption of Public Officials	<input type="checkbox"/>
Forfeiture Assets	<input type="checkbox"/>

File Number
<u>139-CA-127588</u>

Stat Agent Soc. Sec. No.

RA	Squad
_____	_____

Task Force

Assisting Joint Agencies X*
1. _____
2. _____

Assisting Agents Soc. Sec. No X

Squad Supervisor
approval (please initial)

Investigative Assistance or Technique Used

1 = Used, but did not help
2 = Helped, minimally

3 = Helped, substantially
4 = Absolutely essential

IAT	IAT	Other	IAT
Financ. Analyst Asst.	Informant Info.	_____	Tech. Agnt. or Equip.
Aircraft Assistance	Lav. Div. Exams	_____	Telephone Toll Recs.
Computer Assistance	Lab. Div. Field Supt.	_____	UCO - Group I
Consensual Monitor	Pen Registers	_____	UCO - Group II
ELSUR / FISC	Photograph Coverage	_____	UCO - Other
ELSUR / Title III	Polygraph Assistance	_____	NCAVC / VI - CAP
Eng. Sect. Field Supt.	Search Warrants Exec.	_____	Visual Invest. Anal.
Eng. Sect. Tape Exams	Show Money Usage	_____	Crisis Neg. - Fed.
Hypnosis Assistance	SOG Assistance	_____	Crisis Neg. - Local
Ident Div. Assistance	Swat Team Action	_____	

Accomplishment type *	Accomplishment Date	Serial No. of FD-515
<u>Conv / Sentencing</u>	<u>6/14/94</u>	

A. Complaint / Information / Indictment

Also Complete Section I

Serial number _____

Check if Civil / Rico Complaint

B. Arrest / Locate / Summons

Arrest

Federal Local ♦
Subject Priority: A B C

Subject Resisted
 Subject was Armed

Locate

Subject Priority: A B C
Summons

Federal Local ♦

C. Hostage(s) Released

Released by: Terrorists Other

Number of Hostages: _____

H. Final Judicial Process

Conviction

Also Complete Section I

Date of Complaint, Information or Indictment: 4/21/93Date of Conviction: 6/14/94Date of Sentence: 4/10/95Subject Description Code: CA *Judicial State: CA District: CentralSentence type: JS X *

Sentence Term: _____

In-Jail Years	Suspended Years	Probation Months	In-Jail Months	Suspended Months	Probation Years	Probation Months
4	3			3		

Fines: \$ 58,060

D. Recovery / Restitution / Potential Economic Loss Prevented (PELP) X ♦

Recovery

Federal Local

Restitution

Court Ordered
 Pretrial Agreement

Code * Amount Code * Amount

	\$		\$
	\$		\$
	\$		\$

E. Civil / Rico Matters

Also Complete Section I

Date of Complaint: _____ / _____ / _____

Judgment: _____ *

Judicial Outcome: _____ X *

Fines: \$ _____

Suspension:

Years	Months
_____	_____

F. AFA Payment

Amount: \$ _____

b6

b7C

b7E

G. Administrative Sanctions

Type:
 Suspension
 Debarment
 Injunction

Length:
 Permanent
 Years Months

Subject Description Code: _____

I. U.S. Code Violations

Title	Section	Counts
18	2232	1
18	1957	1

Title	Section	Counts
18	1030	2
18	2511	2

Required for Sections A, E, and H (Conviction)

Optional for Section B (arrest)

Acquittal / Dismissal / Pretrial Diversion

SEARCHED INDEXED FILED

Date of Indictment or Information: _____

Subject Description Code: _____

APR 17 1995

GELES

J. Subject Information (Required for Sections A, B, D (Restitution), E, F, G, and H)

Name	Date of Birth	Race *	Sex.	Place of Birth (if available)	Social Security No. (if available)
<u>Kevin Lee Poulsen</u>	<u>10/6/65</u>	<u>W</u>	<u>m</u>	<u>Pasadena City</u>	<u>556-25-6717</u>

Subject Related to an LCN, Asian Organized Crime (AOC), or Italian Organized Crime (IOC) Group. (if checked, also submit form FD-515a)

* Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

♦ Requires that a written explanation on plain paper be attached. (Court Ordered Restitution does not require a written explanation)

* See codes on reverse side.

ACCOMPLISHMENT TYPES

Complaint
Information
Indictment
Arrest
Locate
Summons
Hostage(s) Released
Child Locate
Recovery
Restitution
PELP
Civil/RICO
AFA Payment
Admin. Sanction
Conviction
Pretrial Diversion
Acquittal
Dismissal

01 Cash
02 Stocks, Bonds or Negotiable Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

PELP CODES

22 Counterfeit
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated
Sound Recordings or
Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme
Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negotiable Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

JOINT AGENCY CODES

BATF Bureau of Alcohol, Tobacco and
Firearms
DEA Drug Enforcement Administration
DOI Department of Interior
FAA Federal Aviation Administration
INS Immigration and Naturalization
Service
IRS Internal Revenue Service
NBIS National NARC Border
Interdiction
RCMP Royal Canadian Mounted Police
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USTR U.S. Treasury
ST State
LOC Local
OTHR Other

RACE CODES

B Black
C Chinese
I Indian/American
J Japanese
O Other
U Unknown
W White

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject Died or is Fugitive)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

For Further Instructions See:
MAOP, Part II, Section 3.3-5.

SUBJECT DESCRIPTION CODESORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or 10: Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

04/14/95

***** CONVICTION *****

SENSITIVE / UNCLASSIFIED

Case Number: 139C LA0127588
Serial No.:

Stat Agent Name: [REDACTED]
Stat Agent SOC.: [REDACTED]

Report Date: 04/14/1995
Accom Date.: 04/10/1995

Does Accomplishment Involve

Drugs : N
A Fugitive. : N
Bankruptcy Fraud. : N
Computer Fraud/Abuse. : Y
Corruption of Public Officials: N
Forfeiture Assets : N

Assisting Joint Agencies

Assisting Agents SOC

Subject Name

[REDACTED]

POULSEN, KEVIN, LEE

RA Squad Task Force

HQ CE6

Sub. Invest. Asst by Other FOs:

b6
b7C
b7E

Investigative Assistance or Technique Used

[REDACTED]

FINAN ANALYST
AIRCRAFT ASST
COMPUTER ASST
CONSEN MONITR
ELSUR/FISC
ELSUR/III
ENG FIELD SUP
ENG TAPE EXAM
HYPNOSIS ASST
EVIDNCE PURCH
INFORMANT/CW

[REDACTED]

LAB DIV EXAMS
LAB FIELD SUP
PEN REGISTERS
PHOTO COVERGE
POLYGRAPH
SRCH WAR EXEC
SHOW MONEY
SOG ASST
SWAT TEAM
TECH AG/EQUIP
TEL TOLL RECS

[REDACTED]

UCO-GROUP I
UCO-GROUP II
UCO-OTHER
NCAVC/VI-CAP
VISUAL INVEST
CRIS NEG-FED
CRIS NEG-LOC
ERT ASST
BUTTE-ITC
SAVANNAH-ITC

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Date of Conviction (MM/DD/YYYY) : 06/14/1994

Date of Sentencing (MM/DD/YYYY) : 04/10/1995

Subject Description Code. : 8A

Federal or Local (F/L) : F

Felony or Misdemeanor (F/M) : F

Plea or Trial (P/T) : P

Judicial State. : CA

Judicial District : CDC

Type of Sentence . . . : JS PB

U.S. Code Violation

Year	Month	-----	Title	Section	Counts
Time in Jail. . . : 4	3	-----	18	2232	1
Time Suspended.:			18	1957	1
Probation Time.:	3		18	1030	2
Total Fines. . : \$	58000		18	2511	2

Accomplishment Narrative

Memorandum



To : SAC, Los Angeles (139C-LA-127588) Date 5/4/95
Attention: SSA [redacted]
From: Correspondence Unit, OPCA
FBIHQ
Subject: REQUEST FOR LETTER FROM DIRECTOR

ReurFD-468 4/4/95 and call 5/1/95 between [redacted]
OPCA, and SSA [redacted].

Attached is the letter you requested, along with a copy
for your files.

Enclosures

b6
b7C

139C-LA-127588-353

8

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 30 1995	
FBI - LOS A	

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/11/95

Pursuant to the arrest of JUSTIN PETERSEN on August 29, 1994, a 1985 BMW, two-door, gold, Texas license BVX29R, VIN number WBAAB5402F9514665, was seized by the Federal Bureau of Investigation at the time of PETERSEN's arrest.

On May 10, 1995, the above described vehicle was released to [redacted] Newbury Park, California 91320. [redacted] date of birth is [redacted] California Driver's License number [redacted] home telephone number [redacted], business number [redacted].

b6
b7C

Investigation on 5/10/95 at Los Angeles, CA File # 139C-LA-127588 - 354
by SA [redacted] /dw Date dictated 5/10/95

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Long-jane hacker to go free in May

By Keith Stone
Daily News Staff Writer

The first indictment of its kind charging a computer hacker with possession of government secrets was dropped Thursday, but the North Hollywood man pleaded guilty to several other computer crimes.

As part of his plea agreement in U.S. District Court in San Jose, 30-year-old Kevin Lee Poulsen is expected to be released May 20 after being held in custody for five years — longer than any computer hacker in history.

When Poulsen was arrested in April 1991 in Van Nuys, prosecutors accused him of using stolen Pacific Bell access codes to invade an Army computer network, eavesdrop on telephone security agents and obtain secrets about an FBI probe of former Philippine President Ferdinand Marcos.

But Thursday, the only charges Poulsen pleaded guilty to were illegal possession of computer passwords, computer fraud and use of a false name and Social Security card, according to his attorney and U.S. Attorney Michael Yamaguchi.

The self-taught hacker, known in computer circles as the "Dark Dante," has been behind bars since his arrest.

In 1993, while awaiting trial on the San Jose case, Poulsen was indicted in Los Angeles on new charges that he uncovered FBI wiretaps and electronically seized the radio station telephones to win contests.

Last April, Poulsen was sentenced in Los Angeles to 51 months in prison and ordered to pay \$58,000 in restitution for his role in the radio station scam, which netted him a Hawaii vacation, Porsche and cash prizes.

In a telephone interview this week from the Santa Clara County Jail, Poulsen acknowledged that he deserved "a few years" in custody for his hacking. But Poulsen said the government overreached, accusing him of crimes he did not commit.

"You can't always tell when the first press release comes out what the real story is behind the case," Poulsen said.

Poulsen's attorney, Paul Meltzer, described the computer whiz as "the usual typical hacker interested in pushing the frontier of all of this."

"What he wasn't doing," Meltzer said, "was espionage."

Yamaguchi said Poulsen had obtained government secrets, but he could not be prosecuted for it because there was no evidence he knew the information was top secret.

To be prosecuted for possession of national security information, Yamaguchi said, "You have to knowingly and willfully possess the material."

The government secrets Poulsen was accused of having were computer files of "air tasking information," Yamaguchi said.

"At that time, he was considered one of the more successful and significant hackers," Yamaguchi said. "I think he suffered the consequences quite severely."

Poulsen's stepmother, Bernadine Poulsen, said he has been held far too long. "I just want him home," she said.

Date:
Edition:

Daily News
11/10/95

Title:

Character:
or
Classification:
Submitting Office:

139C-2A-127588

Indexing:

Q
TD

139C-2A-127588-358

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 30 1995	

FBI/DOJ

Accomplishment Report

(Submit within 30 days from date of accomplishment)

Report Date: 12/6/85From: SAC, Los Angeles

Does Accomplishment Involve:
(check all that apply)

Drugs	<input type="checkbox"/>
A Fugitive	<input type="checkbox"/>
Bankruptcy Fraud	<input type="checkbox"/>
Computer Fraud/Abuse	<input checked="" type="checkbox"/>
Corruption of Public Officials	<input type="checkbox"/>
Forfeiture Assets	<input type="checkbox"/>

File Number

Investigative Assistance or Technique Used

1 = Used, but did not help
2 = Helped, minimally

3 = Helped, substantially
4 = Absolutely essential

Rating	IAT	Rating	IAT	Rating	IAT
	Financ. Analyst Asst.		Informant Info.		Tech. Agnt. or Equip.
	Aircraft Assistance		Lav. Div. Exams		Telephone Toll Recs.
	Computer Assistance		Lab. Div. Field Supt.		UCO - Group I
	Consensual Monitor		Pen Registers		UCO - Group II
	ELSUR / FISC		Photograph Coverage		UCO - Other
	ELSUR / Title III		Polygraph Assistance		NCAVC / VI - CAP
	Eng. Sect. Field Supt.		Search Warrants Exec		Visual Invest. Anal.
	Eng. Sect. Tape Exams		Show Money Usage		Crisis Neg. - Fed.
	Hypnosis Assistance		SOG Assistance		Crisis Neg. - Local
	Ident Div. Assistance		Swat Team Action		

2. -

Squad Supervisor approval (please initial)

RA Squad

CE-6

Task Force

Assisting Joint Agencies

1. .

2. .

Accomplishment type *	Accomplishment Date	Serial No. of FD-515
<u>Sentence</u>		

A. Complaint / Information / Indictment

Also Complete Section I

Serial number _____
Check if Civil / Rico Complaint

B. Arrest / Locate / Summons

Arrest

 Federal Local Subject Priority: A B C Subject Resisted Subject was Armed

Locate

Subject Priority: A B C

Summons

 Federal Local

C. Hostage(s) Released

Released by: Terrorists Other

Number of Hostages: _____

H. Final Judicial Process

Conviction

Also Complete Section I

Date of Complaint, Information or Indictment: 12/1/85Date of Conviction: 12/16/85Date of Sentence: 11/27/85Subject Description Code: 8 AJudicial State: CA District: CentralSentence type: SS

Sentence Term: _____

In-Jail Years	Suspended Years	Probation Months	In-Jail Years	Suspended Months	Probation Years
<u>3</u>	<u>5</u>				<u>3</u>

Fines: \$ _____

D. Recovery / Restitution / Potential Economic Loss Prevented (PELP)

Recovery

 Federal Local

Restitution

 Court Ordered
 Pretrial Agreement

Code * Amount Code * Amount

\$ <u>40,000</u>		\$	
\$		\$	
\$		\$	

E. Civil / Rico Matters

Also Complete Section I

Date of Complaint: 12/1/85

Judgment: _____

Judicial Outcome: SS

Fines: \$ _____

Suspension:

Years	Months

F. AFA Payment

Amount: \$ _____

G. Administrative Sanctions

Type:
 Suspension
 Debarment
 Injunction

Length:
 Permanent
 Years Months

Years	Months

I. U.S. Code Violations

Title	Section	Counts
<u>18</u>	<u>343</u>	<u>1</u>
<u>18</u>	<u>1030</u>	<u>1</u>

Title	Section	Counts
<u>18</u>	<u>2511</u>	<u>1</u>
<u>18</u>	<u>1029</u>	<u>1</u>

Required for Sections A, E, and H (Conviction)

Optional for Section B (arrest)

Acquittal / Dismissal / Pretrial Diversion

Date of Indictment or Information: 12/1/85Subject Description Code:

J. Subject Information (Required for Sections A, B, D (Restitution), E, F, G, and H)

Name	Date of Birth	Race *	Sex	Place of Birth (if available)	Social Security No. (if available)
<u>Justin Tanner Petersen</u>	<u>7/10/60</u>	<u>W</u>	<u>M</u>	<u>Washington DC</u>	<u>SEARCHED</u> <u>SERIALIZED</u> <u>INDEXED</u> <u>FILED</u>
<input type="checkbox"/> Subject Related to an LCN, Asian Organized Crime (AOC), or Italian Organized Crime (IOC) Group. (if checked, also submit form FD-515a)					<u>502-922-8037</u>

* Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

♦ Requires that a written explanation on plain paper be attached. (Court Ordered Restitution)

• See codes on reverse side.

FD-515 LO LA
Los Angeles

ACCOMPLISHMENT TYPES

Complaint
Information
Indictment
Arrest
Locate
Summons
Hostage(s) Released
Child Locate
Recovery
Restitution
PELP
Civil/RICO
AFA Payment
Admin. Sanction
Conviction
Pretrial Diversion
Acquittal
Dismissal

PELP-CODES

22 Counterfeit
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated
Sound Recordings or
Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme
Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negotiable Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

JOINT AGENCY CODES

BATF Bureau of Alcohol, Tobacco and
Firearms
DEA Drug Enforcement Administration
DOI Department of Interior
FAA Federal Aviation Administration
INS Immigration and Naturalization
Service
IRS Internal Revenue Service
NBIS National NARC Border
Interdiction
RCMP Royal Canadian Mounted Police
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USTR U.S. Treasury
ST State
LOC Local
OTHR Other

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject Died or is Fugitive)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

RACE CODES

B Black
C Chinese
I Indian/American
J Japanese
O Other
U Unknown
W White

For Further Instructions See:
MAOP, Part II, Section 3.3-5.

SUBJECT DESCRIPTION CODESORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or L.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERNMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

12/08/95

..... CONVICTION

Case Number: 139C-LA-127588
Serial No.:

Stat Agent Name: _____
Stat Agent SOC.: _____

Report Date: 12/08/1995
Accom Date.: 11/27/1995

Does Accomplishment Involve

 Drugs N
 A Fugitive. N
 Bankruptcy Fraud. N
 Computer Fraud/Abuse. Y
 Corruption of Public Officials: N
 Forfeiture Assets N

Assisting Joint Agencies

Assisting Agents SOC

Subject Name

PETERSEN, JUSTIN, TANNER

RA Squad Task Force
HQ CE6

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAHS
AIRCRAFT ASST	LAB FIELD SUP
COMPUTER ASST	PEN REGISTERS
CONSEN MONITR	PHOTO COVERAGE
ELSUR/FISC	POLYGRAPH
ELSUR/III	SRCR WAR EXEC
ENG FIELD SUP	SHOW MONEY
ENG TAPE EXAM	SOG ASST
HYPNOSIS ASST	SWAT TEAM
EVIDENCE PURCH	TECH AG/EQUIP
INFORMANT/CH	TEL TOLL RECS

CO-GROUP I
CO-GROUP II
CO-OTHER
CAVC/VI-CAP
VISUAL INVEST
RIS NEG-FED
RIS NEG-LOC
RT ASST
UTTE-ITC
AVANNAH-ITC

1 = Used, but did not help
 2 = Helped, Minimally
 3 = Helped, Substantially
 4 = Absolutely Essential

Date of Conviction (MM/DD/YYYY) : 10/16/1991
Date of Sentencing (MM/DD/YYYY) : 11/27/1995

Date of conviction (MM/DD/YYYY) - - - - - 10/10/1991
Date of Sentencing (MM/DD/YYYY) - - - - - 11/27/1995

Subject Description Code. 8A

Federal or local (F/L) F

Plea or Trial (P/T) - - - - -
Judicial State - - - - -
Judicial District - - - - -

U.S. Code Violation

Year	Month	U.S. Code Violation		
----	----	Title	Section.	Counts
Time in Jail, . . .	3	5	18	1343
Time Suspended, . . .			18	1030
Probation Time, . . .	3		18	2511
Total Fines, . . .			18	1029

Accomplishment Narrative

SENSITIVE / UNCLASSIFIED

b6
b7C
b7E

12/08/95

..... RESTITUTION

SENSITIVE / UNCLASSIFIED

Case Number: 139C-LA-127588
Serial No.:

Stat Agent Name: [REDACTED]
Stat Agent SOC.: [REDACTED]

Report Date: 12/08/1995
Accom Date.: 11/27/1995

Does Accomplishment Involve
.....
Drugs N
A Fugitive. N
Bankruptcy Fraud. N
Computer Fraud/Abuse. Y
Corruption of Public Officials: N
Forfeiture Assets N

Assisting Joint Agencies

Assisting Agents SOC

Subject Name

[REDACTED]

PETERSEN, JUSTIN, TANNER

RA Squad Task Force

HQ C66

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS
AIRCRAFT ASST	LAB FIELD SUP
COMPUTER ASST	PEN REGISTERS
CONSEN MONITR	PHOTO COVERAGE
ELSUR/FISC	POLYGRAPH
ELSUR/III	SRCH WAR EXEC
ENG FIELD SUP	SHOW MONEY
ENG TAPE EXAM	SOG ASST
HYPNOSIS ASST	SWAT TEAM
EVIDENCE PURCH	TECH AG/EQUIP
INFORMANT/CW	TEL TOLL RECS

UCO-GROUP I
UCO-GROUP II
UCO-OTHER
NCAVC/VI-CAP
VISUAL INVEST
CRIS NEG-FED
CRIS NEG-LOC
ERT ASST
BUTTE-ITC
SAVANNAH-ITC

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Restitution Court Ordered or by Pretrial Diversion (C/P) . . . C

Restitution Property

CODE	AMOUNT	CODE	AMOUNT
01	\$ 40000		\$

Accomplishment Narrative

SENSITIVE / UNCLASSIFIED

b6
b7C
b7E



SAN DIEGO SUPERCOMPUTER CENTER

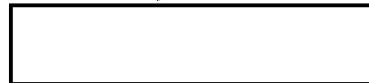
P. O. Box 85608
 San Diego CA 92186-9784
 Phone: (619) 534-5000

FAX

Date:

22 Feb 96

To:



Company:

FBI-LA

FAX Number:

310.996.3836b6
b7CNumber of Pages
(Including Cover Page):3

From:



FAX Number

(619) 534-5152

Phone Number

(619) 534-5086

Comments:

139C-LA-127 588-362

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 30 1996	
FBI - LA	

Usenet alt.2600 or [redacted]
 From:asteal@primus.net
 To: [redacted]
 Subject:The Fugitive Game
 Date:01-25-96
 Via:The Federal Bureau of Prisons
 Body: An open letter to [redacted]

b6
b7c

This correspondence is regarding the overall accuracy and portrayal of myself (Agent Steal) in your book, "The Fugitive Game". Let me begin by summing it up in one simple phrase;

- Mealy Mouthed Nonsense -

Upon reading your book one might expect me to have such a comment. After all you did all but completely trash me. I might have found your descriptions of my appearance, dialogs, and actions to be comical had they not been published in a nationally distributed book. I know that at least my close friends had a good laugh. But all laughing and personal bias aside you quite simply have authored a grossly inaccurate book. I should also add that [redacted] has not lent his endorsement either. This despite your sycophantic portrayal of him as the consummate hacker.

Before I continue with my comments I would like to make it clear that this is not a vindictive attack on someone who has slandered me. No, this goes much deeper than simple sticks and stones. The point I wish to make is you have missed the mark when it comes to this story. What the hell were you thinking? Your Poulson article was good but this is something entirely different. You've taken an adventurous and fascinating saga and turned it in to a sordid two bit "National Enquirer" article. On top of that you have twisted, omitted, and blurred the facts.

Frankly I consider what you've done to not only be odious but incredibly irresponsible. You have damaged your reputation as a serious journalist and I would be surprised if anyone who knows the true story ever takes seriously anything you publish.

It's common advice not to trust newsprint reporters, but I thought maybe, just maybe, you would be different. I thought you might publish the truth as well as the whole story.

One of the aspects that vexes me is that it was not necessary to formulate the story in the manner you did. Merely recounting it with a well written, well researched description of the events that transpired would have been adequate. Perhaps your insecurities over the simultaneous release of two competing books troubled you. Perhaps the only way you felt you could compete with a world class N.Y. Times reporter and an insightful Rolling Stone write was to sensationalize and slander not only myself but one of the writers.

b6
b7c

I will say this: I'm no angel. I've committed some sophisticated and financially motivated computer crimes. But I am not, however, the two-faced, heartless, career criminal you've painted me out to be. I've always been loyal to my REAL friends, I'm not some kind of sexual deviant, and I have always had some kind of job. But it's not my desire to debate the details of your "novel" here and now.

As I compose this commentary I wonder if the true story will ever be told. Does anybody really want to hear it? Is it possible you just told the public what they wanted to hear. I've had the opportunity to discuss this with [redacted] as we have become friends of a sort. We are both in the same prison. He as well as I has mixed emotions about the whole ordeal. For now [redacted] comments are just between the two of us. But one thing is certain: We have lost faith in the press as well as the Government.

My message to you is that you have been duped. Conned by the biggest social engineer in your book: [redacted] When and if he goes to trial or if someone files a "Freedom of Information Act" request, they boy are you going to look stupid. Or will looking stupid all the way to the bank really matter to you? Possibly not, because that is what it appears was the objective here. It certainly wasn't to tell the real story or even a complete story. No, what you have written isn't laudable or plausible, just laughable and sueable.

Yes [redacted] I will see you in court. And I will see your publisher, your agent, and anyone else involved in the profits from your slander in court. So before you start gloating over your ability to generate my ire I suggest you share this little commentary with your coconspirators. I would also suggest that you not underestimate my ability, resources, or motivation to pursue this litigation in a most effective manner.

Sincerely,

Justin Petersen

Agent Steal "The FBI's Hacker" (run amuck) asteal@primus.net

b6
b7C

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/12/1997

To: Los Angeles

From: [redacted]

Squad CE-6

Contact: SA [redacted]

x3613

Approved By: [redacted]

Drafted By: [redacted] dw

Case ID #: 139C-LA-127588 (Closed)

Title: JUSTIN PETERSEN;
ET AL;
IOC;

Synopsis: Exhibits.

Details: It is requested that the following Exhibits be destroyed concerning captioned matter and they are as follows:

1B8	1B44	1B65
1B11	1B45	1B67
1B24	1B46	1B69
1B28	1B47	1B70
1B29	1B48	1B74
1B31	1B49	1B77
1B33	1B50	1B81
1B34	1B54	1B86
1B35	1B57	1B87
1B36	1B59	1B91
1B39	1B60	1B95
1B40	1B62	1B118
1B42	1B63	1B129

b6
b7C

Inasmuch as appeals in captioned matter have been denied and there is no outstanding litigation concerning captioned matter, the above-mentioned Exhibits are being destroyed in order to conserve space.

♦♦

139C LA 127588-3623

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 12 1997	
LOS ANGELES	

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/04/1997

To: Los Angeles

From: [redacted]

Squad CE-6

Contact: SA [redacted]

x3613

Approved By: [redacted]

Drafted By: [redacted] dw

Case ID #: 139C-LA-127588 (Closed)

Title: JUSTIN PETERSEN;
ET AL;
IOC;

b6
b7c

Synopsis: Returned material to [redacted]

Details: On February 26, 1997, the attached list of materials were returned to [redacted] Boulevard, Hollywood, California, [redacted] on behalf of Justin Petersen.

♦♦

139C-LA-127588-365

SEARCHED	INDEXED
SERIALIZED	FILED
MAR - 4 1997	
FBI - LOS ANGELES	

1 JUSTIN T. PETERSEN
2 FCI Bastrop
3 P.O. Box 1010
4 Reg#. 98535-012
5 Bastrop, TX 78602

4 | Defendant in Propria Persona

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) NO. CR 95-214-SVW, 92-575-SVW,
12 Plaintiff,) 91-995-SVW, 91-956-SVW
13 vs.) MOTION FOR RETURN OF
14 JUSTIN PETERSEN,) SEIZED PROPERTY
15 Defendant.)
16

17 NOW COMES defendant Justin Tanner Petersen, in Pro Se,
18 pursuant to Rule 41 (e) of the Federal Rules of Criminal
19 Procedure, and respectfully moves this Honorable Court to
20 direct that certain property belonging to him, a schedule of
21 which is annexed hereto, (See exhibit A) and any and all other
22 property that was seized from him pursuant to warrants issued
23 on the dates of June 21, 1991, October 27, 1993, and on or
24 about September 5, 1994, and pursuant to consent given by him on
25 August 29, 1994, at the addresses as indexed. Being that final
26 disposition has been adjudicated in the above styled cases
27 government no longer needs retain the aforementioned property.

JUSTIN PETERSENEXHIBIT A cont.PROPERTY SEIZED ON AUGUST 29, 1994

From BMW parked at
10970 Ashton St.
Los Angeles, CA 90024

Seized by SA Ornellis
Now in custody of L.A. FBI

- 1 IBM Thinkpad notebook computer w/ case
- 1 Large bag of tools
- 1 Linemans toolbelt w/ tools and telephone "butt" set
- 1 ICOM IC-2A UHF/VHF walkie talkie
- 1 Radio Shack pro34 handheld scanner
- 1 Mobile CB radio
- 2 Motorola R-10 Radius walkie talkies
- 1 Packet of receipts in BMW pouch
- 1 Black brief case with electronics tools
- Misc. floppy diskettes
- Misc. electronics gadgets
- 1 Wallet w/ \$40 cash

PROPERTY SEIZED ON OR ABOUT SEPTEMBER 5, 1994

??? 16th Street
Costa Mesa, CA

Seized by SA Ornellis
Now in custody of L.A. FBI

- 1 486-33 Computer w/ color monitor
- 1 Dot matrix printer
- 1 Micron modem
- 4 Industrial style modems new in boxes
- Misc. circuit boards
- Misc. manuals
- Misc. notes and notebooks
- Personal pictures
- Misc. floppy diskettes

SEND OR RELEASE TO:

Mark or Patti Weissenfluh, or
James Stiebinger
5834 Cantaloupe Ave.
Van Nuys, CA 91401
(818) 786-8305

JUSTIN PETERSENEXHIBIT APROPERTY SEIZED ON JUNE 21, 1991

9659 Forest Lane, Apt. C108
Dallas, Texas

Seized by Secret Service, now in custody of L.A. FBI
SA Ornellis and SA McGuire

1 IBM PC-XT Computer w/ color monitor *1 esp*
1 Cihito dot matrix printer
6 Modems, Hayes, NEC
2 Cihito VT-100 terminals
1 Harris fax machine
3 Telephone "Butt" test sets
1 UHF/VHF scanner
2 120 VAC power controllers
1 Olivetti typewriter
3 speed dial speaker telephones
1 Black brief case with electronics tools
Misc. test equipment
Misc. notes, notebooks, and computer manuals
Misc. floppy diskettes

PROPERTY SEIZED ON OCTOBER 22, 1993

2270 Laurel Canyon Blvd.
Los Angeles, CA 90048

Seized by L.A. FBI
SA Ornellis and SA McGuire

1 486-66 "Clone" style PC computer w/ monochrome monitor
1 Backup tape drive
1 Nikon 8000 series camera w/ flash and lenses *1 esp*
1 HT-600 Motorola walkie talkie
1 Motorola Radius walkie talkie
1 Icom R-100 communications receiver
1 Radio communication repeater controller
1 Motorola vehicle style radio
1 UHF 25 watt repeater amplifier
2 Sets of UHF repeater "cavities" (1 ft long cylindrical objects)
1 Opto-electronics frequency counter
1 Icom HT radio battery charger
1 12 VDC power supply
1 Color VGA monitor
Misc. notes, notebooks, and manuals
1 Speaker telephone
Misc. floppy diskettes
Personal photos

1 Request for return of property was presented to Prosecution
2 in the above styled cases by correspondence on May 18, 1995 and
3 again on January 23, 1996 by previous defense counsel with no
4 response. (See exhibits B and C)

5 Defendant requests that all return properties be either
6 delivered to or released to either of the following persons at
7 the following address;

8 Mark Wissenfluh James Stiebinger
9 5834 Cantaloupe Ave. (213) 656-4472
9 Van Nuys, CA 91401
9 (818) 786-8305

11 Dated: October 29, 1996

Respectfully submitted,

~~JUSTIN PETERSEN~~
Defendant in Pro Per

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/06/1997

To: Los Angeles

From: [redacted]

Squad CE-6

Contact: SA [redacted]

x3613

Approved By: [redacted] W

Drafted By: [redacted] dw

Case ID #: 139C-LA-127588 (Closed)

b6

b7C

Title: JUSTIN PETERSEN;
ET AL;
IOC;

Synopsis: Return items.

Details: On March 4, 1997, the attached items were returned to
[redacted] Los Angeles, California 90025,

♦♦

139C-LA-127588-3613

SEARCHED	INDEXED
SERIALIZED	FILED
MAR - 6	
FBI - LOS ANGELES	

(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/05/1999

To: Los Angeles

From: Los Angeles

C-15

Contact: SA [redacted]

3613

1PM/jlw/lm Approved By: [redacted]

b6
b7c

Drafted By: [redacted]

✓Case ID #: 139C-LA-127588 (Pending)

Title: JUSTIN PETERSON,
ET AL
ICO
OO:LA

Synopsis: The disposition of evidence.

Details: Item 1B111, 1B112 and 1B121 2-6 were destroyed on 12/9/97. Item 1B121-1 was returned to subject Peterson on 12/09/97.

♦♦

367
139C-LA-127588-

05 SEO 01, EC

~~SECRET~~

11/18/98
11:52:29

Squad : C15

Charged Out To: [REDACTED]

Evidence Type : General

Charge Out Report
for 11/24/1998 to 11/27/1998

ICMIPR03
Page 8

b6
b7C

Date Due	Case Number	Cat/Num	Barcode	Description
11/25/1998	139C-LA-127588	1B112	E0836020	1B112, US POSTAL EMPLOYEE ID BADGE FOR [REDACTED]
11/25/1998	139C-LA-127588	1B111	E0836022	1B111, 2 BACKUP TAPES - COMPUTER

GRAND JURY MATERIAL - DISSEMINATE ONLY
PURSUANT TO RULE 6(e) FED.R.CRIM.P.

~~SECRET~~

10/15/98
14:37:23

Squad : C15
Charged Out To:
Evidence Type : General

Charge Out Report
for 10/06/1998 to 10/09/1998

ICMIPR03
Page 46

Date Due	Case Number	Cat/Num	Barcode	Description
10/08/1998	139C-LA-127588	1B121	E0676808	1B121; 1. ONE BLACK LEATHER CASE CONTAINING IBM PS/NOTE 425 LAPTOP COMPUTER, SERIAL #23W5460 2. MISC. DOCUMENTS RELATING TO CAR INSURANCE AND TK ELECTORI CS 3. MANILA ENVELOPE ADDRESSED TO NICHOLAS FORBES, 4841 KING C T. #D HUNTINGTO BEACH, CA 4. PROCARD ENTRY CARD, SYNTEN SYSTEMS, GLENDALE, CA 5. ONE 3X5 SPIRAL NOTEBOOK W/ RED COVER 6. CALIFORNIA DL #133459798

b6
b7C



UNITED STATES POSTAL INSPECTION SERVICE

BUSINESS INVESTIGATIONS-ASSET FORFEITURE

October 15, 1999

[Redacted]
Inspector in Charge
Southwest Division

Re: Revised Disposition Request Approval
Seizure No. 402-91-024
CATS Nos. 91-USP-000098 through 91-USP-000130

This letter is in response to your request to amend the final disposition for the assets numbered above.

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Permission is granted for your division to notify FBI Assistant Director in Charge Timothy McNally to destroy CATS Nos. 91-USP-000098 through 108, 110 through 115, 119, 121, 124, 125, and 127 through 130 once the FBI no longer needs the assets as evidence.

Please arrange to have your Forfeiture Specialist add the date of your correspondence with the FBI to CATS as the date of destruction.

206-107-0656-ECMT

[Redacted]
Program Administrator
Forfeiture Group

Cc: HQs Management Analyst

475 L'ENFANT PLAZA, SW ROOM 5540NB
WASHINGTON DC 20260-2169
TELEPHONE: 202-268-6534
FAX: 202-268-6532

139C-UA-127588-3628



UNITED STATES POSTAL INSPECTION SERVICE

SOUTHWEST DIVISION

January 4, 2001

Timothy P. McNally
Assistant Director in Charge
11000 Wilshire Blvd Ste 1700
Los Angeles, CA 90024-3603

ATTN: [redacted]
Supervisory Special Agent

Dear Mr [redacted]

Reference is made to the attached letter dated October 15, 1999 from [redacted]
[redacted] Forfeiture Group, Washington, D. C.

All CATS entries have been made regarding all property items in this seizure
and we have closed our case.

If you have any questions concerning this matter, please contact me at
817.317.3473.

Sincerely,

[redacted]

Contract Forfeiture Specialist

b6
b7c

DIVISION HEADQUARTERS
PO Box 162929
FORT WORTH TX 76161-2929
TELEPHONE: 817-317-3400
FAX: 817-317-3430

139C-VA-127588-368



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

11000 Wilshire Boulevard #1700
Los Angeles, California 90024
(310) 477-6565
February 8, 1999

Ms. [redacted]
Contract Forfeitures Specialist
Postal Inspectors

Dear : Ms. [redacted]

To confirm our recent telephone conversation, the evidence seized from Justin Peterson by the Postal Inspection Department was subsequently relinquished to the Federal Bureau of Investigation when Peterson was indicted and convicted on federal charges. In reviewing a list of evidentiary items initially seized by the Postal Inspectors and in order to reconcile your records, your number #102-91024-012, 019, 020, 021, 023, 025, 026 and 033 have been returned to Peterson. The remaining items on the list provided by your department will continue to be maintained by the Federal Bureau of Investigation as evidence in this matter.

b6
b7C

Sincerely,

Timothy P. McNally
Assistant Director in Charge

By: [redacted]

[redacted]
supervisory special Agent

139C-VA-127588-368



UNITED STATES POSTAL INSPECTION SERVICE
P.O. Box 162929
FORT WORTH, TX 76161-2929

CERTIFIED

P-129-092 780

MAIL

A circular postmark from Fort Worth, Texas, featuring the text "FORT WORTH" around the top edge and "TEXAS" at the bottom. The center contains "4 PM" at the top, "APR 1" in the middle, and "2001" at the bottom. The entire postmark is in black ink on a white background.

FIRST-CLASS MAIL
U.S. POSTAGE PAID
U.S.P.S.
Permit No. G-10

TIMOTHY P MCNALLY
ASSISTANT DIRECTOR IN CHARGE

ATTN: [REDACTED]
SUPERVISORY SPECIAL AGENT
11000 WILSHIRE BLVD STE 1700
LOS ANGELES CA 90024-3603

b6
b7C

30024-3672 67

(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/27/1999

To: Los Angeles

Attn: Evidence Control Center

From: Los Angeles

C-15

Contact: SA [redacted]

4305

Approved By: [redacted]

b6
b7c

Drafted By: [redacted]

Case ID #: 139C-LA-127588 (Pending)

Title: KEVIN POULSEN, ET AL

IOC

OO:LA

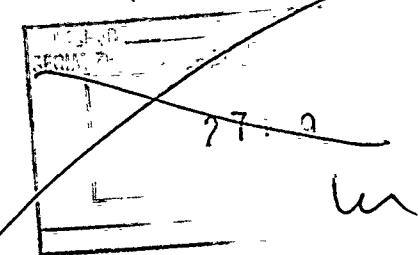
Synopsis: Destruction of evidence.

Details: It is recommended that the below listed items be destroyed:

1B	Bar Code	Describtion
1B68	E0122196	Miscellaneous files.

♦♦

139C-LA-127588-368



300 SEO ec01 wpc

Memorandum



To : FBI LA (139C-LA-127588) - 370

Date 05/25/2000

From : FBI WMFO

Subject: JUSTIN TANNER PETERSON
(Title) RUC
 File Destruction ProgramEnclosed are 1 items.

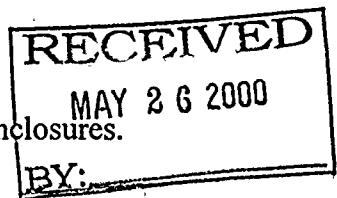
These items are forwarded to your office since file meets criteria for destruction.

Enclosures are described as follows:

- Original Notes.
- Original FD-302's.
- Laboratory and/or Technical Reports.
- Miscellaneous Documents.

Enc. 1

Note: Do Not Block Stamp Original Enclosures.



FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/06/2007

To: Los Angeles

Attn: ECC

From: Los Angeles

Squad CE-3

Contact: SA [redacted]

, x4304

Approved By: [redacted]

Drafted By: [redacted]

:jdm

b6
b7C

Case ID # 139C-LA-127588 (Closed) - 372

Title: Justin Peterson, et al;
IOC

Synopsis: Destruction of evidence

Details: It is requested that the following evidence be destroyed
due to the fact the case is closed and there are no pending
appeals.

<u>1B Number</u>	<u>Barcode</u>	<u>Description</u>
1B12	E0600776	Smart modems, Uniden scanner, etc.
1B22	E0146909	IBM hard drive

X

~

157JDMD0107 Sent 6-6-07

To: Los Angeles From: Los Angeles
Re: 139C-LA-127588, 06/06/2007

LEAD(s) :

Set Lead 1:

LOS ANGELES

AT LOS ANGELES

Destroy above listed evidence.

♦♦

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/20/2007

To: Los Angeles

Attn: Evidence Control Center

From: Los Angeles

CE-3

Contact: SA [redacted]

Approved By: [redacted] 8/28

Drafted By: [redacted] :cll off

Case ID #: 139C-LA-127588 (Closed) 373

b6
b7C

(Y)
CLF

Title: PETERSON, JUSTIN, TANNER

Synopsis: Closed case with pending evidence.

Details: AS requested, pending evidence 1B22 of captioned closed case was reviewed. Inasmuch as the case is closed and no judicial proceedings remain, the items are to be destroyed.

1B	Barcode	Description
1B22	E0146909	IBM Hard Drive, Model 5160

♦♦

171CL10207